

NATIONAL MUNICIPAL REVIEW

EMBER 1949

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NATIONAL MUNICIPAL LEAGUE

The League's Business

Charles Edison 'Drafted' as Fourth Term Nominee

Charles Edison, who was elected president of the National Municipal League at the Philadelphia Conference and re-elected at the Nashville and Boston Conferences, has been requested by the nominating committee to permit his name to be proposed again at the Twin Cities Conference this fall.

The committee asked President Edison to withdraw his decision stated at the Boston meeting that his third term would be the final one.

The exchange of letters between Frederick L. Bird, of Dun & Bradstreet, chairman of the committee, and President Edison follows:

June 28, 1949

Dear Governor:

In view of what you said at the Boston Conference on the occasion of your re-election as president for a third year, the nominating committee has given careful thought to the presidency before preparing to propose nominees for vice presidents and members of the Council.

During your three terms the League has gained in influence and membership and has made most encouraging progress toward finding a solution of the financing problem. We may be on the threshold of achieving adequate financial support.

Because you have been a key factor in stimulating the progress made thus far and because there is a serious danger that our momentum may otherwise be impaired, we feel it is desirable and necessary that you accept a fourth term.

Even more important, you personify the League's aims and work as no one else whom it would be appropriate for the League to choose as president. We believe that sound local institutions and effective home town citizenship are essential to the future of our whole system. We believe that you, and the League under your leadership, can do more than any other person or organization to strengthen these factors at this critical time. We know that your continuing as president will be most heartening not only to officers and members of the League but also to the many citizen leaders who look to the League for guidance.

Without pretending to argue that there is such a being as the indispensable man, we feel most deeply that it would be a serious loss if you fail to acquiesce to the general desire that you continue as president.

We will be grateful if you will refrain from replying in a way that your modesty might suggest before giving us an opportunity to discuss this with you personally. Mr. Phillips, feeling with us that we cannot afford to fail to impress you with the validity of our plea, is willing to make a special trip from Richmond to join the discussion.

Very sincerely yours,

THE NOMINATING COMMITTEE
/s/ FREDERICK L. BIRD, *Chairman*

Concurred in by: William Collins, John S. Linen, Ed. P. Phillips, Carl H. Pforzheimer.

July 11, 1949

Dear Mr. Bird:

Last November at the Annual Meeting in Boston, I really did mean it when I stated my desire to retire as president of the League, not for any slackening of interest in the League's work but because of the fact that a change in leadership periodically tends to inject new life and new ideas into an organization such as the N.M.L.

I have thoroughly enjoyed my three terms as president of the League and, after sober consideration of your gracious letter, I find myself being swayed to accept a fourth—but a *final*—term, with one important proviso.

This proviso concerns one of your fellow members of the nominating committee, our friend, Bill Collins. If Bill will agree to serve until November 1950 as finance chairman, I will be glad to accept re-nomination. [Mr. Collins has agreed.—Editor.] Perhaps this is a bit selfish on my part, but frankly I would not like to undertake at this time or in the near future casting about for a successor for

(Continued on page 415)

Moral Victory for Labor

MEN employed in the industrial plants of Bayonne, New Jersey, became increasingly alarmed this year as an economic paralysis seemed to creep irresistibly over the city and more and more jobs ended.

It was only natural that their uneasiness and resentment should turn toward the local government, long a part of the Boss Hague axis which dominated Hudson County. Political mismanagement was notorious and it was obvious that the tax rate was on the way to new highs, increasing the likelihood that more plants would close or move elsewhere.

They formed the United Workers' Organization, representing CIO and independent unions, and decided that to save their jobs and their homes they must get rid of the discredited commission government and the self-serving officeholders it had spawned and put in its place a modern council-manager form of government.

The organization published a series of hard-hitting bulletins picturing abandoned industrial plants and describing the way city money was being squandered. One particularly effective piece showed two houses, one beautiful modern brick affair

owned by the city architect, the other a modest old frame structure owned by "a taxpayer with no political connections," both assessed at \$5,000.

Despite the apathy of professional people and the owners and operators of small businesses the labor campaign, in the middle of the hottest July on record, paid off at a special election July 19 in a majority of more than 2,000 votes for the manager plan and against the city commission, the members of which had campaigned desperately and expensively to keep their jobs.

Unfortunately, because of an unusual technicality in the New Jersey law, Bayonne will continue for a time to suffer under commission government—the manager forces failed to obtain an affirmative vote equal to 30 per cent of all the votes cast in the heavy 1948 presidential election.

But the United Workers' Organization is not discouraged. It has proved that the old order can be licked and promises to continue to fight until Bayonne has a government that represents and serves all the people, not just those favored by five little kings in city hall.

Twilight of Commission Government

THE commission form of city government is on the way out. It has been on the wane for years. Since 1935 there have been more council-manager than commission places and the gap widens each year.

Among cities over 5,000 alone, there are 458 with the council-manager plan as against 306 commission cities, according to the 1949 *Municipal Year Book*. Percentagewise, 22.5 per cent in that population group

have the council-manager plan and only 15.1 per cent the commission form.

There have been virtually no new adoptions of the commission form for a decade or more while one important commission city after the other has moved over into the manager list. The most notable recent defection was that of Des Moines which had shared dubious honors with Galveston as one of the originators of commission government. New mayors in Portland, Oregon, and San Antonio, Texas, have been elected on platforms calling for substitution of modern manager charters for creaking commission systems and are working to that end.

Commenting recently on the decision of the Ogden, Utah, city commission to submit the council-manager plan to the voters in November, the Salt Lake City *Tribune* remarked: "It is not disrespectful of the civic-minded citizens who serve as city commissioners at inadequate salaries to say that manager government is just naturally more efficient and less expensive." That is why many honest commissioners are taking the initiative in recommending the manager plan.

Impressive testimony against commission government has come recently from New Jersey, where that form gained a stronger foothold than in almost any other state. A State Commission on Municipal Govern-

ment, headed by former Town Commissioner Bayard Faulkner of Montclair, has made proposals looking to gradual displacement of the commission form, which it charges with inherent weaknesses responsible for many municipal ills.

The Faulkner report points out that concentration of both legislative authority and administrative responsibility in the same hands fosters logrolling, delay and personal politics and defeats sound budgeting because "there is no practical way to coordinate a planned expenditure program as among five independent administrative authorities."

Similarly, a recent study of personnel administration in Pennsylvania third class cities, all saddled with commission government by legislative fiat, found the form of government a serious obstacle to sound personnel administration.

For these and other reasons virtually all competent authorities have long recognized the commission plan as one of America's most unfortunate political experiments. This view is evidently shared by voters and taxpayers in a large proportion of the remaining commission cities. Historically the commission plan has proved to be a transitional device between the over-complicated check and balance system of the 19th century and the modern simple council-manager plan. Fortunately the painful transition is nearing an end.

1949 National Conference on Government Hotel Lowry, St. Paul, November 28, 29, 30

(Make reservations early; write directly to the hotel. Be sure to say you are attending the Conference.)

Housewives Jolt Politicians

Six women amateurs who forced foes to desperate tactics in Passaic, N. J., struggle, vow "fight has just begun."

By CARL EK*

SIX young housewives on July 12 came within 839 votes of overthrowing commission government and giving Passaic, New Jersey, the council-manager plan. Though they have seventeen children between them to take care of, the determined women built a civic organization that put 150 automobiles and hundreds of volunteer workers into the fight on election day. They lost—the vote was 9,215 against adoption to 8,376 for—after the toughest, dirtiest political campaign Passaic has ever gone through.

It has become apparent since election day, however, that what the Six Housewives lost was a battle, not a war. Their organization is not disbanding. The possibility of recall is being discussed. There has been talk, too, of a referendum on adoption of a so-called strong mayor government with ward councilmen. At the moment this is just talk. The Six Housewives are not participating in it. It is important only because it demonstrates that the city is still dissatisfied with the kind of government it is getting.

The council-manager movement was born at a New Year's Eve gathering of the Six Housewives, their husbands and friends. The men at the party, so the story goes, complained about Passaic's government

while sipping cocktails. The women, with the naivete that can be so irritating to males, asked the men why they didn't do something about it instead of talking. The men laughed. Fight city hall? The idea was ridiculous. Miffed, the women said they would do something. Within a short time they incorporated the Association for a Better Community and started getting signatures on petitions. Volunteers flocked to help.

But it wasn't simple or easy. For a time it looked as if the Six Housewives would not be able to have a referendum. New Jersey adopted a new constitution in 1947. This necessitated the rewriting of much law, a job that hasn't been finished yet. A civic group in West New York, New Jersey, wanted a council-manager referendum. The opposition stopped it in the courts by contending the referendum would be unconstitutional. The new constitution says that, in time of war, provision must be made for voting by absentee servicemen. The provision was lacking in so far as a council-manager referendum was concerned.

The remedy was legislation. The Six Housewives made a trip to Trenton to see Governor Alfred E. Driscoll. The governor was genuinely sympathetic. He was also somewhat amazed to discover that the Six Housewives did not know the processes by which laws are made. They have since laughingly admitted this weakness in civics. But they learned

*Mr. Ek is editorial writer for *The Herald-News* of Passaic, New Jersey. He has been with the newspaper for the past twenty years.

before the necessary amendment arrived at the governor's desk and acquired his signature.

Legislators to introduce an amendment to New Jersey's soldier voting law, providing for mailing ballots to members of the armed forces in council-manager referendums, were found. The Assembly quickly passed it. In the Senate, however, the Passaic commissioners were able to prevent the bill from coming to the floor for a vote. Then an unusual thing happened. In the last hour of the final session of the Senate the seemingly dead bill was revived and brought on the floor for a vote. It was passed, too.

Tactics of Commissioners

The Passaic commissioners, who had been bravely saying they would welcome an election because they knew they could "beat it easily," threw up another roadblock. The Six Housewives filed petitions asking for the referendum. The city clerk, brother of a commissioner, ruled there weren't enough legitimate signatures. The Six Housewives went into court and got a quick ruling in their favor.

The commissioners might have appealed, but they didn't. They realized their obstructionist tactics were costing them votes. But they had the last say anyway. The city clerk set the election for July 12, after school vacations had started and many voters had left the city for the summer.

Then the commissioners dropped the pretense and went to work.

Passaic is a manufacturing and residential city of some 60,000 residents, 30,000 of whom are registered

to vote. Practical politicians, in dealing with Passaic, have always given careful consideration to nationalistic and religious blocs in picking slates and conducting campaigns. The biggest blocs are the Polish, Italian and Jewish voters. The fact that politicians lump them and those with other old world backgrounds in blocs does not mean they vote as units, however.

In the council-manager campaign, although one of the commissioners was Jewish, much of the support for council-manager government was Jewish. And, although two commissioners were of Italian ancestry, many voters of Italian extraction worked and voted for a change.

Only the Polish bloc, represented by one commissioner, remained steadfast for commission government. In fact, those of Slavic background generally—there were noteworthy exceptions—were for retention of commission government. There was a reason for this. In the previous commission election, two commissioners of Slavic ancestry were elected. They were the first to be elected since Passaic adopted commission government in 1911.

The commissioners, whose bickering and fighting for the spoils had led to the revolt (Passaic had two police court judges and two city treasurers fighting in the courts for the jobs and previously had two street superintendents scrapping in the courts) presented a united front for the campaign. It was a slightly cracked front, though.

The commissioner who is Jewish was significantly mild and temperate in his utterances. He said he favored

commission government and hoped the voters would carefully consider what they did on election day.

The other four pulled no punches. They charged council-manager government was undemocratic. The manager would be a dictator. After three years in office he would have a job for life. To back this statement they had a peculiar New Jersey law which does say a manager, after serving three years, can be removed only for cause and after a public hearing on the charges against him. The law has never been tested in the courts. How serious a limitation it would place on the discretion of the council is uncertain. But it was excellent ammunition for the commissioners.

Passaic for years has been talking about eliminating the Erie Railroad grade crossings on its Main Avenue. One plan called for rerouting the tracks. Residents of the sections through which the rerouted elevated tracks would run were bitterly opposed to the scheme. The commissioners told them that a city manager would have the power to put the tracks in their backyards—and that he would do so.

Attack Newspaper

The two commissioners of Slavic ancestry asked the voters whom they "represented" if they would "turn your own kind out of office." Similar appeals were made to the prejudices and aspirations of other groups.

The real attack, however, was centered on *The Herald-News* and its owners. *The Herald-News* is the only daily published in Passaic. It got into the fight editorially on the council-manager side when the move-

ment started by the Six Housewives showed signs of winning the support of people whose sole interest was in getting better municipal government. The paper for several years had been preaching that "commission government has outlived its usefulness in Passaic" and telling why.

Only two years before, however, *The Herald-News* had been cool to a council-manager movement started by friends of a commissioner who had been stripped of a department he had run for years. The newspaper felt politics, not the public welfare, was behind the movement. The Six Housewives, on the other hand, had no axes to grind and were running the show without direction from behind the scenes.

The commissioners were unable to attack the Six Housewives. Even desperate politicians dare not try to smear six respectable married women with seventeen youngsters. So they went to work on *The Herald-News*. The newspaper's owners, the Drukker family, were accused of wanting to "run the town" for selfish purposes. "Don't Be a Sucker for Drukker" posters were distributed—but not displayed by too many adherents of commission government.

The Herald-News gave these attacks columns of space. In editorials and feature articles it told about council-manager government. It refrained from attacking the commissioners personally. But it did remind the voters what kind of government they had been getting for years.

A sidelight will explain why the commissioners—with the one exception previously noted—attacked *The Herald-News*. A reporter was ac-

cused by a pro-commission speaker at a public rally of writing a pack of lies about a previous meeting. The reporter, an old hand, was offended. He asked the politician about his remarks. He got this answer:

"There's nothing personal in it. You know you've got to have an issue to win votes and *The Herald-News* was picked. After the election we'll all be friends again."

Sentiment Divided

There were many curious angles to the campaign. Passaic city employees were divided in their sentiments, even policemen and firemen. Some stuck out their necks and worked for council-manager government quite openly. Others did so quietly.

The party workers were divided, too. Passaic's commission elections are nonpartisan. The five commissioners are nominally Republicans, although Passaic has been voting Democratic for years. The commissioners meet this situation by building up personal machines composed of both Republicans and Democrats. It has made things difficult for the leadership of the party organizations. Thus the Six Housewives found a good many party workers, both Republican and Democratic, getting out votes for council-manager government on election day.

The all but defunct Progressive party, Henry Wallace's outfit, provided support for commission government that the commissioners didn't enjoy having. The Progressives announced that council-manager government was supported by big business and therefore no good. The

Progressives had no more to say for the duration of the campaign, though. It was disclosed that a New Yorker who had attacked council-manager government at their purported meeting had never denied a charge, published in a New York newspaper, that he had been a Communist.

The commissioners tried pressure to win votes, but probably with indifferent success. Through the city clerk they had access to the names signed to the petitions. Many Passaic residents, foreseeing this, refused to sign the petitions even though they promised to vote for council-manager government. The intimidation was not rough. The approach to those who experienced it ranged from a not unfriendly "What the hell's the matter with you?" to an injured "Why are you doing this to me?" No rough stuff but it scared some folks anyway, particularly business people.

Looking back, the principal reasons for the defeat of council-manager government are easy to see.

1. The appeal to national pride saved the day for the commissioners. In one voting district, where the "don't turn out your own kind" appeal was made to those with a Slav background, the vote was 758 against council-manager government, 99 for adoption.

2. Money made a difference. The commissioners spent freely to win. Some pro-manager professional politicians believe that money, spent in the right places, would have produced enough votes to assure a council-manager victory. That's debatable, and the Six Housewives didn't

have that kind of money anyway. For the commissioners, money worked because it was used to hire and to spur workers who otherwise might have been indifferent. The Six Housewives depended entirely on volunteers. The workers they might have been able to buy could not have been depended upon.

'Tenure' Loses Votes

3. The New Jersey "tenure" provision for city managers lost votes. Many voters who were sympathetic to the idea of a change in municipal government didn't like the possibility of being saddled with a manager who might turn sour. The law should be repealed.

4. The possibility that proposals for improved forms of local government, made by the Commission on Municipal Government,¹ will be adopted by the New Jersey legislature this fall or next year made some hesitate to support the plan. The commissioners talked of the adoption of these proposals as a certainty. "Why adopt council-manager government now, when next year you will have a chance to choose between several improved forms of government?" they asked.

5. The charge that the manager would be a dictator impressed some people.

6. The charges against *The Herald-News* impressed some people, too. They actually believed the

newspaper wanted to run the city. I know. I've talked to them.

7. The fact that the election was held in midsummer, when many voters were away, was bad. In one ward the council-manager advocates obtained 5,000 signatures on their petitions. On election day that ward gave them a little more than 3,000 votes. Too many voters were away. While a good many did return to vote, some from as far away as Maine, a lot more didn't bother.

But all isn't lost. The volunteers who worked to put over council-manager government haven't lost their interest in obtaining better local government. The commissioners, of course, continue to provide the best ammunition for a change.

To illustrate, a week after the election the mayor slipped in a pay voucher for his brother. It was only then that Passaic voters learned that the brother had been put on the city payroll for \$3,500 a year early in June—a month and a half before election day.

The advocates of a change don't feel too unhappy about this. They know they pushed the commissioners to their utmost to win on July 12. They see no danger that the commissioners will reform and provide good government. They figure a lot of those "no" votes will be converted—by the commissioners—into supporters of a change.

The day after the referendum *The Herald-News* gave a clear indication of its future policy. The title of its leading editorial was "The Fight Has Just Begun."

¹See *Local Self-Government in New Jersey: A Proposed Optional Charter Plan*. Trenton, 1949. For a description of the plans provided by this report see the REVIEW, December 1948, page 603, and March 1949, page 159.

Hartford Likes Its New Plan

Manager government, year and a half old, brings reduction in taxes as well as increased efficiency of operation.

By LESLIE M. GRAVLIN*

THE amazing victory of the council-manager charter in Hartford stumped the political experts. The lucky star that guided the charterites to that 1946 victory has hovered over the new form of government in its first year and a half. The dire results that were forecast by some of the opponents have not come to pass. On the other hand, the conservative claims of the proponents have been well sustained by performance.

Installed near the high point of the postwar economy the new system was confronted by the sharp upward spiral of inflation in which all governmental units were caught. In the budget for fiscal 1948-49, despite an increase of more than one million dollars for salaries alone and provision for much needed equipment, the tax rate was reduced from 39.25 mills to 37 mills. This budget was prepared by the old board of finance with the manager, new to the Hartford scene, sitting in as an observer.

For the 1949-50 fiscal year, with twelve months of operational experience behind them, the manager and council kept the rate at 37 mills.

*Mr. Gravlín is director and secretary of the Governmental Research Institute of Hartford. A former president of the Governmental Research Association, he has the distinction of being the first "state manager" in the country, appointed by Governor Harold E. Stassen in 1939 as Minnesota's administrator under its reorganization act of that year.

They might have produced a 35-mill rate but chose instead to finance some of the necessary capital improvements out of the budget in preference to borrowing.

This is not to say that the budget has not increased, for it has—in fact the 1949-50 budget is \$2,500,000 higher than the last one under the old aldermanic system, that for 1947-48.

But Hartfordites appear well satisfied with results. There was little complaint by taxpayers at the public hearings on the budget, and they paid 99.5 per cent of the taxes levied upon them last year. Nor was it an April Fool's joke when at the opening of the new fiscal year they learned there was a tidy surplus of \$1,203,000 from the previous fiscal year. They were already aware that it would be at least \$900,000, for that much had been anticipated in the adoption of the new budget. They now know that there is \$300,000 more which, it is hoped, will be reserved for another year if not required for such emergencies as rising relief requests.

Except in emergencies threatening public health, safety or welfare, interim extra-appropriations are permissible under the new charter only when unobligated, unappropriated cash is on hand. Under the aldermanic plan over a period of eighteen years prior to 1942 the practice was to go into deficit borrowing to

finance extra appropriations, which averaged \$750,000 per year.

As a measure of the fiscal success of the new form of government the surplus is well received by press and public. The surplus is roughly a 50-50 result of savings in expenditures and excess revenue collections.

It would be an inadequate appraisal of the first eighteen months' accomplishments, however, that depended strictly on the cash register aspects. Not to be overlooked is an alert public interest in what goes on. Spectators at council meetings are heard to remark, "Why, this is just like the old town meeting." While not all council sessions, held twice a month in the evening, are well attended, many of them are. This is especially so when a controversial matter such as a recently proposed parking lot regulation ordinance is being considered.

Council at Work

The nine members of council, including one woman, all elected at large and some without previous experience in public office, have taken their jobs seriously. Six were elected with the endorsement of the Citizens Charter Committee. In their deliberations council members have shown a surprising unanimity on most questions, although there has not been a lack of spirited disagreement and effective minority representation.

On the Thursday prior to each regular session there is a pre-council meeting at which the manager goes over the agenda with the mayor and other council members. The early apprehension about these informal meetings, arising out of dissatisfaction with the aldermanic caucuses

under the previous form of government, has been dispelled because no binding decisions are made; rather they are meetings for mutual exploration of problems with the manager. The council works without standing committees, creating special committees for particular problems as they occur. There have been more than a score of such committees.

The high degree of mutual respect between the manager and members of the council has done much to get council-manager government off to a good start. The confidence of the council in the manager was well demonstrated by the support given to his 1949-50 budget, which drew praise for its clear delineation of programs and policies. It has also been evident in maturing efforts, despite discouraging obstacles, to obtain new housing.

Able advocacy of policy on municipal problems has been carried by the mayor, who has been instrumental also in bringing together, for the first time in years, the executives of the principal Connecticut cities to consider action on common problems. On some problems, especially those of finance, a report by the manager last fall has pointed up needs and possible solutions.

One of the major problems stressed by the manager is the need for revision of property assessments which have remained almost unchanged for fifteen years. This issue, feared by some for its possible political repercussions, has been forthrightly faced by the council which studied it through a committee and voted to proceed. A citizens' advisory committee named by the mayor recently

reported its recommendations and now a contract is being drawn with an appraisal firm to conduct a complete revaluation in cooperation with the assessor.

On the administrative side, the first eighteen months have been a period of progressive readjustment, involving establishment of completely new agencies, the consolidation of others and the overhauling of techniques.

For one thing Hartford had to start from scratch in setting up a merit system. The newly created personnel department, headed by a career man chosen after competitive tests,¹ has been in operation since early in 1948. From its first successful conduct of examinations for appointment of 100 new firemen required to install the 56-hour week to its most recent examination for superintendent of the city hospital, the department has continued to win respect and commendation.

Pay Rates Revised

Revision of the pay plan, adopted in 1942 before there was civil service, was another major task of the department undertaken with the help of special consultants. As recommended, the new plan included an adjustable cost-of-living feature which was eliminated by the council because of objections voiced by employee unions. No radical changes from existing rates were made for the current year but the plan holds out new inducements for the future

through successive "step" adjustments. In spite of evidence that the rates compare well with those in private industry and in other cities there have been some employee claims that they are inadequate. Otherwise, the personnel program seems to have enthusiastic acceptance.

The other completely new agency is the division of purchases in the department of finance. In it all buying for the city, including most materials and supplies for the schools, is centralized.

Nine of the eleven heads of the major operating and staff departments are local men, each of whom was continued from the same or a similar administrative capacity under the previous government. Frequent meetings between department heads and the manager are held for consideration of common problems.

One year and a half of a new system, particularly in a period of inflation, perhaps is a rather short time for an evaluation of administrative results. But there is gratifying evidence of progress. The fire department installed a new radio system. It is having a study made by the National Board of Fire Underwriters with the hope that a plan may be developed for a rearrangement of stations and possible elimination of some which were erected in the era of horse-drawn apparatus.

In the police department there has been a reorientation toward increased motorization, permitting a reduction of 28 men by non-replacement. Four hundred thousand dollars is being spent from reserve funds for resurfacing and reconditioning worn-out streets this year.

¹Competition for personnel director was open to candidates without regard to residence. Charles F. Yard, formerly on the staff of the New Jersey Civil Service Commission, was appointed.

A capital budget, the first in the city's history designed with an eye to the future and the financial capacity of the city, calls for the expenditure of \$7,500,000 in the next five years for schools, a new home for the aged and chronically ill, new fire stations and an incinerator. This program is geared so that if the bond issues are approved by the electorate the work can be done without increasing debt service beyond the existing level.

A partial pay-as-you-go policy, however, is reflected in the appropriation within the regular budget of \$458,000 for site preparation incident to a state-assisted housing project for veterans, and the addition of \$216,000 to a capital improvement fund for paving and other projects. Net bonded debt as of March 31 stood at \$8,347,000, leaving a borrowing margin of \$13,302,000.

Over-Liberal Pensions

Chief among the headaches inherited by the manager government are three over-liberal pension systems, the cost of which has tripled since prewar days, now requiring \$1,160,000 of the city's \$19,500,000 budget.

The first report of an actuarial study, ordered by the pension commission on recommendation of the manager and approval of the council, shows that the cost to the city of the city employees' system, over the next 40 years, will be \$31,299,000. Reports for police and fire pension funds, now nearing completion, may add another ten or twelve million dollars according to some observers.

Bills which would have further liberalized the old systems as to retirement age and required years' service and which by similar provisions would have weakened a new actuarial reserve system compulsory for all new employees, failed of passage in the 1949 session of the General Assembly. The legislators thereby, in deference to the arguments of the city administration and civic groups, respected the home rule provision in Hartford's new charter.

Progress, though it is slow, is being made on two important proposals aimed to relieve traffic congestion and to safeguard downtown business property from further decline. Two-way discussions with West Hartford, the other community involved in the proposed project, have taken place on the subject of an east-west expressway; several alternative routes were recently surveyed by Robert Moses and associated experts who have made their recommendations. Appraisals have been made of suitable areas downtown for off-street parking facilities and the administration has supported state legislation to authorize cities to acquire property and issue revenue bonds.

Citizen Watchdogs

Standing watch over the new system is the alert Citizens Charter Committee, which underwent top reorganization necessitated by the illness of former Mayor William H. Mortensen. Mr. Mortensen, the retiring chairman, spearheaded the original drive for a charter commission and led the campaign for approval by the voters and ratification by the legislature. Subsequently, in

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The New German Charter

"Basic rights which are the keystones of the democratic arch are strongly guaranteed" by the document adopted.

By HOWARD P. JONES*

ON THE anniversary of VE Day, May 8, 1949, four years after the end of active hostilities, the constitutional assembly of the three western zones of Germany adopted a new basic law,¹ which was promulgated on May 23 after approval by Military Government.

After a lingering discussion lasting over a period of nine months, the Germans, in a dramatic burst of speed designed to enable the western powers to present a new western German state as a *fait accompli* to the Paris conference of foreign ministers, adopted their constitution, submitted it to the military governors for approval and finally ratified it by an overwhelming vote of all the state legislatures except Bavaria.

The significance of this rapid ac-

tion should not be overlooked. It meant that western Germany was in fact western Germany, casting its lot with the democracies of the west. A procedure which ordinarily would take months was wound up in the course of less than two weeks. This involved compromises on the part of both Military Government and the German political parties. The important fact is that the compromises were made.

The document which emerged is more centralist than the federalists would desire—more federalist than the centralists would prefer. And perhaps that is the essence of a sound compromise—that it satisfies neither extreme and leaves the judgment to history. In any event, centralism versus decentralism was, of all the issues, the most overriding and the most bitterly fought.

Typical of German attitudes on the negative side is this:

"It's a bad constitution," remarked one prominent political leader to the writer. "The central government has too much power. The Americans have lost their battle for a real federal structure." He shook his head sadly. "Germany now faces the twin dangers—first of what you Americans call 'the man on horseback'; second, of the Communists for whose strategy a strong central government is an ideal design."

"Quite the contrary," remarked another political leader. "The con-

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¹The Germans carefully avoid use of the term "constitution" and refer to this charter as "The Basic Law for the Federal Republic of Germany." It is, of course, no more than that so long as Germany remains an occupied country and the powers reserved to the Allies under the occupational statute include many of the most significant fields of federal action.

stitution is in my opinion the constitution of a weak government. I hear the exact opposite—a central government without sufficient power to act, a government in which the forces for decentralization are so great that in a crisis the whole thing will go to pieces—and give the Communists exactly the opportunity they seek.”

But the average German in public life obviously thought it was fair enough and far better than no constitution at all. To the outside world it will reveal a new German spirit as yet little appreciated.

Freedom Guaranteed

A note hopefully symbolic of the new German approach to government and world problems is sounded in the preamble to the constitution:²

Conscious of its responsibility before God and mankind, filled with the resolve to preserve its national and political unity and to serve world peace as an equal partner in a united Europe, the German people . . . has, by virtue of its constituent power, enacted this Basic Law of the Federal Republic of Germany to give a new order to political life for a transitional period.

It acted also on behalf of those Germans to whom participation was denied.

The entire German people is called upon to accomplish, by free self-determination, the unity and freedom of Germany.

The words “transitional period” constitute a recognition—always near the surface in German thinking—that some day the occupation will be over and some day the eastern zone will once again be a part of Germany.

The basic rights which are the keystones of the democratic arch are strongly guaranteed by the new constitution—freedom of speech, press and religion, freedom of assembly, searches and seizures, equality of men and women, non-discrimination because of sex, descent, race, language, homeland and origin, faith or religious or political opinion. There is a strong emphasis upon the dignity of man which, the constitution states, “shall be inviolable. To respect and protect it shall be the duty of all state authority.”

This basic law, it should never be forgotten, is a constitution drawn by an assembly composed in part of concentration camp inmates. Few members of the assembly had not suffered at the hands of the Nazis. Their genuine feeling which runs through the document is, therefore, not merely the expression of a pious hope but of a deep-seated determination to prevent anything similar from happening again.

Academic freedom is guaranteed by the constitution with one notable exception, “Freedom of teaching shall not absolve from loyalty to the constitution.” Even freedom of movement is recognized as a constitutional right although it is subject to certain practical restrictions by legislation “to prevent criminal acts,” control epidemics, etc.

The fear of the concentration camp again and again burns through this interesting document. “Forced labor shall be admissible only in the event of imprisonment ordered by a court,” and “No one may be compelled to perform a particular kind

²Agreed Anglo-American translation. Printed by J. F. Carthaus, Bonn.

of work except within the framework of an established general compulsory public service equally applicable to everybody."

Structurally, the new constitution provides for a federal state on the United States pattern. An important difference of special interest to REVIEW readers is a specific guaranty to municipalities of the right to run their own affairs and a provision guaranteeing that in the states (*Laender*), counties (*Kreise*) and municipalities (*Gemeinden*) "the people must have a representative assembly resulting from universal, direct, free, equal and secret elections."

It will be recalled that one of Hitler's first moves after acquiring power in 1933 was to pass a law simply amputating the municipal legislative body and substituting an advisory board of Nazi party appointees, thus obtaining complete control over municipal governments in one fell stroke. It won't happen again if a constitution can prevent it.

Combines Basic Theories

This new basic law provides an interesting combination of the United States federalism and balance of power theory and the orthodox parliamentary system, an endeavor to combine the virtues of both while eliminating the weaknesses of each.

The legislative body of the new German government is bicameral with a weak upper house—sadly weak in the view of the decentralists. The judiciary is specifically endowed with power to declare acts of the legislature unconstitutional. The president is the titular head of the state, the chancellor the equivalent

of prime minister and the real head.

The president may be compared to the French president, having none of the power of the great American executive. Primarily, his job is to represent the federation in matters of international law and foreign relations. He has a few other responsibilities—not unimportant. He appoints and dismisses the federal judges "unless otherwise determined by law"—this strange habit of the German constitutional lawyer, so pronounced in the Weimar constitution, of bestowing a power as a right in the basic law, only to take it away by delegation to the legislative body of the power to alter its provisions or restrict its implementation. He also has the right of pardon.

The president is appointed for a term of five years by the federal convention, which consists of the members of the lower house (*Bundestag*) and an equal number of members elected by the popular representative bodies of the *Laender* according to the principles of proportional representation. The president may be reappointed for only one additional term.

The strongest position in the new German state is that of chancellor in accordance with Bismarckian tradition. This prime minister of Germany is chosen by the lower house (*Bundestag*) on nomination of the president. If the person nominated is not elected, the lower house may, within fourteen days after the ballot, elect a chancellor by majority vote of its membership. If no person receives a majority within this time limit, a new ballot takes place at once in which the person who re-

reives the most votes is elected. If the person elected receives the votes of the majority of the members of the lower house, the president must, within seven days after the election, appoint him. If the person elected does not obtain this majority, the president must, within seven days, either appoint him or dissolve the parliament.

Cabinet members are appointed and dismissed by the president upon recommendation of the chancellor, in accordance with standard practice under parliamentary systems.

Legislative Powers

One of the most difficult problems of public law is that of so defining the legislative power of the central government as to give it authority to cope with the political, social and economic problems of the whole, without permitting it to encroach on the desired autonomy of the parts. An effort to solve this problem by definition has been made in the new German constitution. Legislative jurisdiction is divided into exclusive and concurrent.

Generally speaking, the federation or federal government is given exclusive jurisdiction over foreign affairs; foreign and domestic trade and matters pertaining thereto such as customs; currency; money and coinage; federal railways and air traffic; post and other communications; citizenship; and statistics for federal purposes.

Concurrent jurisdiction applies, practically speaking, to everything else, the fields being listed specifically and running the gamut of all governmental functions.

Three general provisions, however,

disturb those interested in strong state and local government. The states are given the right of legislation "in so far as this constitution does not accord legislative powers to the federation." In the field of concurrent legislation, the states have power "so long and so far as the federation makes no use of its legislative right."

This right to legislate is defined as applying to: (1) a matter which cannot be effectively regulated by the legislation of individual states; (2) the regulation of a matter by a state law which could prejudice the interests of other states or of the states as a whole; or (3) the preservation of legal or economic unity which demands it, in particular the preservation of uniformity of living conditions extending beyond the territory of an individual *Land*. These provisions, taken together, provide an opportunity for continuing encroachment of the federal government on the states.

Financial provisions, however, formed the most hard fought over battle ground. Political autonomy is, after all, based on financial autonomy. Proposals originally ranged all the way from requiring the central government to be dependent upon the voluntary financial contributions of the states (U. S. Confederation style) to the extreme centralist point of view that practically all revenues should be collected by the federation and redistributed to the states. The division on this issue was geographical as well as political, the Social Democrats leading the fight for a strong central government, the conservative Christian Democratic par-

ty, with its heavy strength in Bavaria, resisting vigorously.

The compromise that was reached followed the pattern already established in the effort to cut the cake of legislative power.

The federation was given exclusive legislative power over financial and customs monopolies and concurrent legislative power over: (1) excise taxes and taxes on transactions, with the exception of taxes with localized application, in particular the taxes on real estate acquisition, incremental value and on fire protection; (2) taxes on income, property, inheritance and donations; (3) real estate and business taxes.³

Federal-Local Finance

The one safeguard against the federal government preempting these tax sources is that federal legislation on taxes the yield of which accrues to the states or municipalities shall require the approval of the upper house.

As to yield, the revenues from customs monopolies, excise taxes (with the exception of the beer tax), the transportation tax, the turnover tax and non-recurring capital levies go to the federation. Income and corporation taxes, the beer tax, property tax, inheritance tax, taxes on transactions with the exception of the transportation tax and the turnover tax and the taxes with local application go to the states and, in

accordance with state legislation, to the municipalities.

The federation, however, may levy on the proceeds of the income and corporation taxes with the approval of the upper house to cover grants which are to be made to the states to meet expenditures in the fields of education, public health and welfare.

A sensitive point is that the federation may also make grants to equalize the differing burden of expenditure of the various states and may take the funds necessary for this purpose from tax sources assigned to the states. The only protection a state has against this action is its direct representation in the upper house. While the necessity for some equalization is recognized, there is a natural fear in Germany that this power is subject to abuse.

Generally speaking, revenues the yield of which accrues to the federation are to be administered by federal finance authorities. But there is also the provision that "in so far as the federation makes a claim to a part of the income and corporation taxes, it shall have the right to administer them." It may, however, delegate the administration to state finance authorities.

The remaining taxes are to be administered by the state finance authorities but the federation may regulate the structure of these authorities, their procedure and the uniform training of their officials. While this is highly desirable from the standpoint of efficiency, it again strengthens the influence of the federal government.

In the attempt to make municipalities more self-sufficient, the con-

³An odd provision is that, while the federal government may claim real estate and business taxes in whole or in part to cover federal expenditures, the states still have the power to fix the rates of these taxes. It seems self-evident that this must lead to conflict and confusion.

stitution provides that the administration of taxes accruing to municipalities may be transferred by the states in entirety or in part to the municipalities. Unfortunately, these taxes represent only a fraction of the requirements of the municipalities which are heavily dependent upon aid from the state.

Finally, there is expressed the pious hope that "the federation and the *Laender* shall be self-supporting and independent of each other in their budget economy," for whatever significance it may have.

The German budget procedure has reached an advanced stage of refinement and the budget provisions of the basic law seem to be reasonably adequate. All revenues and expenditures of the federation must be estimated for each fiscal year and included in the budget and the budget is required by law to be passed before the commencement of the fiscal year.

Furthermore, revenue and expenditure must be balanced although no details are provided as to what constitute revenues and expenditures. Assets and liabilities are required to be an appendix to the budget. In the case of federal commercial enterprises, only the final result and not the detailed revenues and expenditures are required to be included in the budget.

Standard safeguards, common in American practice, are not included with respect to extraordinary expenditures exceeding the budget. The constitution in such cases simply requires the approval of the central ministry of finance, but specifies that this approval may only be given in

"unforeseen and irrefutable necessities." The budget is definitely an executive as distinguished from a legislative budget. The upper and lower houses may not increase the budget expenditure proposed by the federal government without its approval.

An independent audit of accounts is provided for by an audit office (*Rechnungshof*), the members of which shall possess judicial independence.

Provisions on indebtedness are notable by their absence. There is only one article dealing with this subject, which specifies that funds may be borrowed only in the case of "extraordinary need and as a rule only for expenditure for productive purposes," and, finally, only on the basis of legislation.

Courts on U. S. Plan

The court system provided by the basic law follows that of the United States in that both a federal system and a state system are provided. Recognition of the long struggle in the United States over the supremacy of the judiciary with particular reference to the power to declare laws of Congress unconstitutional is reflected in establishment of a federal constitutional court with specific power to declare laws passed by the legislative body unconstitutional.

Powers of this court are broad. The basic law bestows on it the power to interpret the basic law in the event of disputes concerning the rights and duties of the federal agencies it creates, questions of conflict of federal law or state law with the basic law, in cases of differences of opinion as to the rights and duties

of federal and state agencies, particularly in the execution of federal law by the state, and in the exercise of federal supervision; and in all other public law disputes between the federation and the state, between different states or within a state, in so far as appeal to another court is not provided.

The members of the federal constitutional court consist of federal judges and other members elected half by the lower house and half by the upper house. They may not hold any other political or governmental office. An interesting variation in judicial appointing procedure is provided in the establishment of the supreme federal court. Here judges are appointed jointly by the federal minister of justice and a committee for the selection of judges consisting of the state ministers of justice and an equal number of members elected by the lower house.

The independence of the judiciary is specifically protected but there are provisions for impeachment by the federal constitutional court on application of a two-thirds majority of the lower house, if a federal judge, in his official or unofficial capacity, infringes the principles of the basic law or the constitution of a state.

Provisions for amendment of the basic law are simple. An amendment requires a two-thirds vote of approval in both the lower and upper houses. Such amendment must expressly alter or add to the duties of the basic law and no amendment is

admissible which alters the organization of the federation into states, the legislative relationships of the federation and the states or the principles of the bill of rights.

Any attempt to appraise this document runs into the difficulty of its many generalizations and its many compromises in which the emphasis might in implementation be thrown either way. It is, however, a genuine attempt to prevent a repetition of the German mistakes of the past and to incorporate the lessons of democratic experience in other countries between the wars.

A Transitory Law

From the standpoint of the mechanics of democracy, the basic law is reasonably sound. It provides a short ballot, a strong executive responsible to the legislative body, an independent judiciary with a check on the legislative power, the outlines of a reasonably adequate budget system. The provisions of its bill of rights go farther than those of any other constitution in being. It remains to be seen whether its economic provisions are adequate to meet the challenges of the developing European situation of which Germany is the storm center.

At best this basic law is a transitory thing. Its final provision, indeed, is its own executioner. For it "shall become invalid on the day when a constitution adopted in a free decision by the German people comes into force."

Old County, New Troubles

Warwick, one of Virginia's original shires, may lose either its people or its efficiency because its population grew.

By JAMES E. PATE*

WARWICK County, Virginia, faces a dilemma. Must it yield its great urban area to a nearby city, once more becoming a rural community, which would force it to abandon its modern, efficient manager government, or shall it strive for consolidation of the area of which it is a part as recommended by the Lower Peninsula Planning Commission's Consolidation Study Committee?

The county, one of the original shires of Virginia, lies between the James and the York near where the confluence of these historic rivers makes the great harbor of Hampton Roads. At the end of this area, called the Lower Peninsula of Virginia, is located the city of Newport News, the home of one of the country's largest private shipyards. Adjoining Warwick and Newport News is the county of Elizabeth City, also an original shire. Contiguous to the counties and the city is the small city of Hampton.

It is clear that Warwick County's problems cannot be separated from those of its neighbors. And this is especially true of Newport News, which separated from the county in 1896 and since then has expanded by successful annexation suits at the

county's expense. The city again is "bursting at the seams," as the city manager says, and is making another annexation move against Warwick County as well as its neighbor, the county of Elizabeth City.

There is, however, a slight statutory obstacle. An act of the General Assembly provides that no county with less than 60 square miles can be the subject of annexation by an adjoining city. This law protects all of Elizabeth City and all of Warwick except eleven square miles. The city's hope of getting the act invalidated by the Supreme Court of Appeals is based on the law's doubtful legality in view of the constitution's disapproval of special and local legislation as well as the court's generally favorable attitude toward cities seeking to annex the urban parts of a county. This matter was apparently clinched by the court's dictum in *Portsmouth versus Norfolk County*¹ when it said, "Urban areas should be under urban governments, and rural areas should be in a county."

Because of its strategic location the Lower Peninsula area has been vitally affected by war activities. As a result of World War I the population of Warwick County almost doubled. Hilton Village was founded, an example of a well planned community which has become a permanent and attractive urban area

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¹*County of Norfolk v. City of Portsmouth*. 186 Va. 1032 (1947).

and, since 1945, the administrative seat of the county government.

The impact of World War II increased the population about four times that of 1940, making Warwick one of the commonwealth's few urban counties. The population is not distributed uniformly, however. About 80 per cent of the people live in 20 per cent of the county's area—the south end, contiguous and vulnerable to the city of Newport News.

Change Demanded

The war's impact therefore created urban conditions which produced a demand for municipal services, and this called for a better organized and more responsible county government. But, while the war was a contributory factor that made a change of government necessary, there were other forces behind the scene.

One important reason for seeking a change—and some citizens say the most important—was the close control of the county schools by the school board. This board was chosen as follows: The General Assembly elected the judge of the circuit court, who appointed a school trustee electoral board, which in turn appointed a school board, which appointed the superintendent of schools. This roundabout way of selecting the board resulted in an irresponsible body completely separated from the voters.

Someone suggested that the way out was to adopt the county manager plan, which at least would take the school board out of the control of the judge and the electoral board and put it in the hands of the board of supervisors, which is elected by the voters.

This idea worked. After a favorable referendum at a special election in September 1944, the voters at the regular November election chose a board of supervisors which appointed an entirely new school board and a county manager.

Progressive management methods as well as an integrated organization have resulted. In the first place, administrative functions have been departmentalized. The departments of finance, public works, police and fire are closely integrated.

It is the policy of the State Departments of Health and of Public Welfare to identify these functions as closely as possible with the local government. Problems of management are created, however, when most of the pay and part of the supervision come from the state. The manager put his finger on the problem in this statement:

We feel that where the state participates in the function of the county departments that the personnel should meet our minimum requirements in regard to office hours, days of employment and vacations. . . . My observation has proven that in many instances these cooperative agencies who feel they are responsible to the state more so than to the county have been far less efficient than those directly responsible to the county.

Improvements have been accomplished in the relation of the new government to the school system. Management of the schools, as mentioned, has been related more closely to the county government. A long tradition of separation based on the idea that the schools should be "kept out of politics," however, cannot be overcome in a short time. The man-

ager's alert eye for economy, his persuasion and the cooperation of the county superintendent of schools have brought savings in purchasing supplies, in servicing school buses and in the maintenance of school property—a good example of the housekeeping staff services that government can provide the schools.

Fiscal Program Integrated

An important result of the adoption of the county manager plan was to integrate fiscal agencies. Prior to this change, fiscal functions were distributed among three elective officers—the commissioner of the revenue, the county treasurer, the county clerk and an ex-officio finance board. There had been no single officer responsible for coordinating fiscal affairs. The treasurer's office was in his residence, indicative of the county's indifference about providing office space for its public officials. This was all changed.

The activities of the county treasurer, commissioner of the revenue and the fiscal functions of the county clerk and the finance board are combined in the department of finance, housed in one building and under the supervision of the director of finance. The commissioner of the revenue's functions are now performed by an appointed assessment clerk in the finance department. The county treasurer's duties are carried on by an appointed cashier.

The county budget is prepared by the manager and the director of finance. Current assessments are made by the director of finance and the assessment clerk. Taxes are collected by the cashier under supervision of the director of finance.

Custody of funds, purchasing, storage and distribution of supplies, and control of expenditures are under the finance director's supervision. All financial records, including those of the schools, are kept by the finance department. Previously, the state's share of the expense of several of the county officers was paid to these officers directly by the state treasurer. Now the state's share is mailed to the county department of finance, which makes the payment to the proper department.

Reassessment of all taxable property was made in 1946 by employing the State Department of Taxation's staff of trained assessors. These appraisers worked under the supervision of the county board of assessors. They reviewed each piece of real estate, land and buildings, and appraised it at its true market value, using 1940 pre-inflation values as a basis. The board then made its adjustment by taking, as the basis for the tax rate, one-third of the value found by the appraisers. The appraised value of some property was increased, while on others it was decreased. The decrease was almost entirely on colored people's property that showed marked deterioration.

Prior to the reassessment, inequalities were widespread. The ratios of assessed values to sales values of properties sold in 1944 and 1946 ranged from less than 10 per cent to more than 100 per cent. The finance director claims the reassessment removed the worst inequalities.

Centralized purchasing has not only obtained supplies more cheaply but the county gets better goods. Asphalt, for example, used to be pur-

chased in small quantities at fifteen cents per gallon. In 1947 the county got it at 8.02 cents per gallon. Exceptions made to central purchasing are on perishable goods and fresh produce bought by the sheriff for inmates of the county jail and laboratory and library supplies for the schools. It is the practice to purchase locally, if conditions justify, but goods are bought where the best prices can be had.

The purchasing agent is in charge of the county garage, shops and storage which are all in one building. The central store room is stocked with supplies and equipment needed for current operation of the county's motor vehicles; for the cleaning, lighting and maintenance of public buildings; and with those things called for by the occupational demands of the employees, such as raincoats and hats, boots and gloves, which are sold to them at cost. A perpetual inventory shows date each item is received, time of its departure and the balance and location of all items in stock.

Activities of the public works department include road construction and repair, garbage collection and disposal, sewer construction and maintenance, and upkeep of buildings and grounds.

Garbage, collected three times a week on a county-wide basis, is disposed of in land fills, which is economical as well as having the advantage of land reclamation. The sewer system of the urban area is financed by a special sanitary district tax. It is contemplated that the system's main lines will soon be connected with the sewer system operated by

the Hampton Roads Sewage Disposal Commission. This commission was established to remove pollution from the waters of the Hampton Roads area and for this purpose has constructed pumping stations and central mains and filter plants to treat raw sewage before its subsequent subaqueous disposal.

Protective Services Improved

Both police and fire services have been improved. The elective sheriff's office is political in nature. Besides his law enforcement role the sheriff is an officer of the court and the keeper of the county jail. The county police, on the other hand, are law enforcement officers responsible to the county manager. It is obvious that there is a slight functional conflict between the two offices. At the 1946 election, the chief of police was a candidate for sheriff. If he had been elected, the two offices would probably have been combined.

All administrative officers, except the school superintendent, report once a month directly to the manager. These reports, quantitative accounts of activities, are brought together in the manager's monthly report to the board of supervisors. Besides contacts by reporting, the manager has made it a practice to hold regular "cabinet" meetings which all administrative officers except the school superintendent, clerk of court, commonwealth's attorney, sheriff and farm agent attend.

Central filing and mailing, a central telephone and information service, and attention to employee welfare should also be mentioned among improvements. A county zoning ordinance, proposed by the planning

commission, has recently been adopted by the board of supervisors.

The county is now the subject of an annexation suit by Newport News which has announced its intention to annex the eleven square miles of the county's urban area referred to earlier. Under the Virginia annexation law, a court of three judges—two from the area and one "remote" from the vicinity—will decide the issue.

In the meantime, the Lower Peninsula Planning Commission's Consolidation Study Committee has made its report based on more than two years study. Several plans of consolidation were considered, but the one favored by the committee calls for a merger of the city of Newport News, the city of Hampton, the town of Phoebus, and the counties of Elizabeth City and Warwick² into a greater city with a council-manager government. Each of the existing political subdivisions would retain its identity as a borough in the city, but it is not contemplated that this status will carry any governmental functions.

HARTFORD LIKES NEW PLAN

(Continued from page 385)

the first councilmanic election, he directed the successful election drive

²The consolidation committee seriously considered a proposal for putting the urban parts of the counties into the greater city and uniting the rural area into one county. One of the factors influencing its decision for merging all the political subdivisions into the greater city was that not a great amount of land was left for urban expansion after deducting military reservations and water and marsh lands, and that the area left out would be too small and poor to constitute an effective unit of local government.

for the six candidates endorsed by the charter group. For this public service he recently received a citation from the Junior Chamber of Commerce.

Hartford's success in obtaining a new charter and the prestige it has since enjoyed have stimulated council-manager charter movements not alone in other Connecticut cities but in communities in other nearby states as well. New Haven sought, unsuccessfully, in the recent General Assembly to obtain legislative authority for a vote on a council-manager charter this year. A group in Providence, Rhode Island, also is considering the plan. Springfield, Massachusetts, has filed petitions for a referendum this fall. In each of these cities speakers from Hartford have appeared.

In the words of Jack Zaiman, political writer for the *Hartford Courant*, whose query of former Mayor Mortensen about four years ago might be said to have opened up the issue of council-manager government, "In the space of little more than a year's time the city manager form of government has taken such a hold in Hartford that it seems as if it has always been here."

In the by-line story from which this quotation is taken Mr. Zaiman wrote, "The simple fact is this: the council-manager system is a success in Hartford and any effort to change it would meet with quick disapproval." The action of the 1949 session of the legislature in failing to pass bills proposing a return to partisan, district nominations and elections gives solid testimony to this observation.

News in Review

City, State and Nation

Edited by H. M. Olmsted

Government Levels Cooperate on Housing

New Legislation Calls for Concerted Action

ACCENTUATED by the passage of the Federal Housing Act of 1949, the need both of positive action at all governmental levels and of inter-governmental cooperation is being urged. Already substantial results have been produced.

The National Association of Housing Officials reports that under the provision of the federal housing bill cities must demonstrate a need for low rent housing before they can receive federal funds. Many cities already have the necessary information available on family income, rental prices and number of available rental units. A number of other cities are undertaking comprehensive surveys to collect this data.

Legislatures of 42 states have authorized local governments to establish low-rent housing authorities and at least 25 states have laws authorizing local participation in federally supported slum clearance projects. Iowa, Kansas, Oklahoma, South Dakota, Utah and Wyoming do not have housing enabling laws that will qualify their cities for federal funds for public low rent housing. Slum clearance aid also may be denied to those cities which do not have modern building codes and housing and sanitation regulations.

Recent approval by the Ohio legislature of a bill permitting cities to condemn and buy slum areas for resale to private developers, who would be required to rebuild according to a master plan, makes municipalities of that

state eligible for federal aid. Under terms of the federal slum clearance law, two-thirds of the difference between the original price of the property and the resale price of the cleared land could be paid for out of the redevelopment subsidy.

An agreement which pledges the maximum use of the resources of the Public Health Service, the Federal Security Agency and the Housing and Home Finance Agency for the improvement of housing and community conditions has been signed by Housing Administrator Raymond M. Foley and Surgeon General Leonard A. Scheele, of the Public Health Service, acting for Federal Security Administrator Oscar R. Ewing.

Intended to avoid unnecessary overlapping and duplication of functions, the agreement provides that the home finance administrator and the surgeon general will cooperate in seeking the collaboration of other federal agencies, state and local governments, public and private institutions and representatives of various professional, industrial, labor and civic organizations.

Problems of administering the urban redevelopment and slum clearance program under the housing act of 1949 were considered in Chicago in mid-July at a three-day conference of municipal organizations, HHFA representatives, and local planning and housing authority officials, according to the American Municipal Association. The conference theme was the HHFA-municipal relationships necessary to make the program succeed.

It was agreed that local angles should be stressed—local responsibility for putting the program into effect, local coordination of all elements of the

program, local decisions on rezoning and planning, etc. References were made to the need for analyses of state redevelopment enabling acts to insure wide municipal participation. About half of the states have not authorized local redevelopment programs.

HHFA officials, urging improvement in municipal redevelopment laws, indicated intentions to get local viewpoints before establishing administration policies or issuing regulations.

82 City Councils Drop Rent Control

Since Congress enabled cities to terminate rent control by their own action, 108 cities have done so, subsequent to April 1, the American Municipal Association reported on August 10. Such action is in addition to the lifting of rent controls in about 170 other localities by the federal housing expediter.

Under the rent law passed last spring controls can be removed in individual cities by the expediter or by the city's legislative body. Rents can be decontrolled for an entire state by its legislature. Municipal decontrol is final but decontrol by the housing expediter can later be rescinded.

A number of cities, the largest New Orleans, have held hearings on rent control and have decided to leave it in effect. In three small areas decontrolled by the expediter, rents rose so rapidly that controls were re-established.

The vast majority of the urban population is still under rent control. Municipal termination is largely in the south and southwest with more than half the completed actions occurring in Texas and Oklahoma.

The AMA reported that 56 cities were to hold decontrol hearings soon, but that, in recent weeks, completed decontrols have dwindled.

A Texas law decontrolling the entire state becomes effective October 19. The law permits cities to reinstate rent supervision by ordinance. Nebraska has a statewide decontrol statute, effective when the governor notifies the housing expediter of intent, which must be done before November 15. In Wisconsin decontrol became effective early in August. In Alabama and Nevada bills decontrolling rent have been passed by the legislatures and await action by the governors.

The decontrol action reported was stated to be effective despite the recent decision of U. S. District Judge Shaw in Chicago that the 1949 rent control act is unconstitutional. The federal housing expediter is appealing the case to the U. S. Supreme Court. Meanwhile decontrol proceedings under the act continue though they may be retarded somewhat by the litigation.

Council Manager Plan Developments

Voters of **The Dalles, Oregon**, (1940 population 6,266) adopted a council-manager charter on June 10 by a vote of 746 to 401.

Chadron, Nebraska, (4,262) voted 620 to 62 on July 12 for adoption of the statutory city manager plan.

Purcell, Oklahoma, (3,116) adopted a council-manager charter on August 2 by a vote of 652 to 224.

Monroe, North Carolina, (6,475) adopted the council-manager plan by ordinance of the council on March 30 after passage of legislation authorizing such action.

The city council of **Daly City, California**, (9,625) adopted the manager plan by ordinance on June 27.

In **Fairhope, Alabama**, (1,845) an ordinance establishing the manager plan was adopted March 28, effective April 1.

Surfside, Florida, (295) recently adopted a council-manager charter and

a town manager was appointed on June 13.

The International City Managers' Association reports the following additions to manager cities since January 1, 1949, not previously reported here: **Whittier, California**; **Marion, North Carolina**; and **Levelland, Texas**; and that **Valdese, North Carolina**, which adopted the plan in 1932, has been added to the list.

The **New Hampshire** legislature has passed a bill allowing a popular referendum in November in **Portsmouth** on the question of retaining the manager plan. A referendum on a new council-manager charter for **Keene** was also authorized, for September 13.

A nine-member commission has been appointed by the mayor of **Barre, Vermont**, to study the feasibility of the council-manager plan. Such action was authorized by the voters at a special city meeting in March.

The Massachusetts Supreme Judicial Court decided on June 30 that the proposed Plan A (strong mayor type) charter for **Boston** would be the only one to be voted on in November, despite charges that the Boston board of election commissioners had exceeded its authority in issuing petition forms to Plan A adherents six days before doing so to the advocates of Plan E (manager and P. R. council).¹

The Plan E for Boston Committee on June 24 filed petitions containing more than 50,000 signatures with the Boston election commission. Despite the unfair advantage given to the Plan A advocates in February the Plan E Committee had continued to collect signatures as a matter of civic importance and in the hope that the courts would rule out the Plan A petition. Chairman Francis X. Ahearn of

the committee stated that the Plan E petition contained signatures from each of the city's 362 precincts, and that although the Plan A signatures, after actual count, numbered somewhat over 60,000 only a few more than 47,000 had been certified by the commission.

The Massachusetts Civic League reports that **Haverhill, North Adams** and probably **Springfield** will vote this fall on adoption of Plan D (council-manager without P. R.) and that **Chelsea, Gloucester** and probably **Somerville** will vote on Plan E—which, however, with P. R. forbidden by the legislature,² will be substantially like Plan D.

The Citizens Charter Committee in **Southington, Connecticut**, has voted ten to three in favor of the council-manager plan.

In **Poughkeepsie, New York**, the Tax and Rent Payers' Association filed a petition of 2,116 signatures in July, calling upon the city council to order a referendum at the November election on the question of adopting the council-manager plan.

Council-manager proposals suffered defeat in three **New Jersey** municipalities in July. In **Passaic** on July 12 the movement started by the "six housewives" and bitterly opposed by the city's political machines lost by a narrow margin, 9,215 to 8,376.³

Council-manager proposals also lost in **Bayonne** and **West New York** on July 19, the commission plan being retained. The vote in Bayonne⁴ was 10,207 to 8,125 in favor of the manager plan, but 11,356 votes (30 per cent of the vote at the last general election) were needed. In West New York the vote was 4,851 to 2,750, against the manager plan.

The new city charter commission in

¹See page 409, this issue.

²See "Housewives Jolt Politicians," by Carl Ek, page 377, this issue.

³See also page 375, this issue.

⁴See the REVIEW, March 1949, page 133; April, page 183.

Philadelphia organized on July 26 with the election of Frederick D. Garman, president of the city council, as chairman. Philadelphia's Committee of Seventy urged the commission to study the council-manager plan.

An election on the question of adopting the manager plan in **Columbia, South Carolina**, has been set for September 6.

A bill to authorize an election in **Dalton, Georgia**, on adoption of the manager plan failed at the last legislative session but remains on the calendar for the next session. Dalton voted for the plan on December 10, 1947, under the home rule act of 1947, but the city council ruled that the act was illegal and the election invalid—without a court test.

A referendum on adoption of the council-manager plan will be held in **LaGrange, Georgia**, on September 14.

Petitions filed by the Citizens Committee for Council-Manager Plan of **Mansfield, Ohio**, asking a vote on election of a commission to frame a new charter, have been accepted as sufficient. The question will appear on the November ballot.

The board of directors of the **Cincinnati** Chamber of Commerce opposes the submission of any amendments to that city's council-manager charter at the November election and recommends a special election in the spring of 1950 at which nothing but charter amendments will be considered. It asks that the recently appointed charter revision committee be continued, with funds to make a more comprehensive study.

In **Madison, Wisconsin**, the city council has declined to act on a resolution by one member calling for a referendum next April on the question of continuing the manager plan. Local newspapers report that a group of

citizens are circulating petitions for a referendum on abandonment.

In **Illinois** an optional council-manager bill for all cities but Chicago failed of passage. A committee of the House refused to pass it with provision for a small council elected at large, and brought in its own bill which retained the status quo as to the council in any city adopting the plan. Most Illinois cities have the ward system, sometimes with large councils.

The **St. Louis, Missouri**, board of freeholders, which is engaged in drafting a new city charter, has decided on the strong-mayor form. It showed no support for the commission form, and voted twelve to one against the council-manager plan.

In **Shreveport, Louisiana**, the charter commission voted five to four to retain the commission plan.

Voters of **Arlington, Texas**, on June 7 approved by a vote of nearly three to one a home rule charter amendment empowering the council to employ a city manager if it so desires.

In **San Antonio, Texas**, the city commission on August 4 defeated by a four to one vote an ordinance proposed by Mayor-Commissioner Jack White to establish a council-manager charter committee of 25 citizens; it approved, four to one, an ordinance to establish a "charter revision committee," its members to be appointed by a majority vote of the commission. Mayor White, who was recently elected on a council-manager platform, then announced his appointment of the 25-member committee as an unofficial group to draft a council-manager charter. He denounced the commission for opposing the drafting of such a charter and its submission to popular vote.

The city commission of **Ogden, Utah**, voted unanimously on July 12 to place the question of adopting the council-manager plan on the November ballot.

The plan is supported by the Ogden Business and Labor Council and the Ogden Metropolitan Development Conference.

A citizen committee to study municipal reorganization in **Portland, Oregon**, with possible emphasis on the manager plan, has recently been appointed by Mayor Dorothy McCullough Lee.

On June 24 the voters of **Springfield, Oregon**, retained the manager plan by a vote of 1,111 to 1,002.

St. Helens, Oregon, defeated a charter amendment to establish the manager plan, 287 to 153, on May 17.

A council-manager charter has been drafted in **San Luis Obispo, California**, and is to be voted on in the near future.

National City, California, will vote on a proposed council-manager charter in September.

Grand Rapids Mayor Resigns, Forestalling Recall Election

On June 29 the Michigan Supreme Court decided that an election on the question of recall of Mayor George W. Welsh of Grand Rapids, Michigan, should be held as petitioned for by the Citizens Action organization. The group had sought his removal for interference with the appointment of city assessor by the city manager.¹ On July 18, however, Mayor Welsh resigned and City Commissioner Stanley J. Davis was appointed mayor by the city commission, four to two. Mr. Welsh's supporters included commissioners who were also the objects of the recall movement. One of them thereupon also resigned. Municipal elections will take place in 1950.

Home Rule Vital Issue in Northwest

At the fifteenth annual convention of the Association of Washington Cities

in June, attended by 400 delegates, the theme of municipal home rule was in the foreground throughout, from the annual address of President William F. Devin, mayor of Seattle, to the adoption of resolutions.

One of the latter directs the executive committee to work in conjunction with the Bureau of Governmental Research and Services of the University of Washington, and other interested agencies, to study the desirability and practicability of proposing to the 1951 legislature a constitutional amendment to prohibit special interest laws tending to establish state control and regulation, and to broaden the authority of cities to govern themselves on purely local matters.

At the seventeenth annual convention of the Montana Municipal League, held in Glendive, Montana, in June, the central theme was the financial plight of Montana cities and their need for home rule powers to meet their problems.

Cities Cooperate in Rate Case

In a statewide telephone rate case the League of Virginia Municipalities organized a special telephone rate committee for joint intermunicipal participation in the proceeding before the State Corporation Commission. Each participating community agreed to pay its proportionate share of the cost, which included fees for legal and economic experts.

Municipal Public Relations Officers Organize

The Association of Municipal Public Relations Officers, the formation of which has been under way for some time, especially since the National Municipal League Conference in Boston last November, where municipal public relations were an important sub-

¹See the REVIEW, June, page 291.

ject of discussion, was officially launched at a meeting on June 17 at the Town Hall Club in New York City.

A constitution and by-laws were adopted at the meeting, which was presided over by Harold S. Rand, public relations officer of Rochester, New York. The group of twenty men from widely scattered parts of the United States heard Harold S. Buttenheim, editor of *The American City*, welcome the new organization to the municipal field. Another speaker was Eric Carlson, associate editor of the publication, who has been especially active in the development of municipal public relations.

AMPRO's program will include: a publication devoted to the field of MPR (municipal public relations); information service on MPR and MPR personnel; MPR case histories and monographs for working use; an MPR library including bibliographies, film lists, radio scripts, visual aid material; model ordinances; publications information; and advisory service to members.

Tennessee Has Advisory Service for Cities

A municipal technical advisory service has been authorized by the 1949 Tennessee legislature and established at the University of Tennessee, according to the Municipal Finance Officers Association. Financed jointly by state funds and Tennessee municipalities, the new service is designed to furnish cities and towns with factual information to help them solve their problems. The service is centered in the extension division of the university.

Illinois, Missouri Legislatures Approve Bi-state Agency

A planning agency for the development of the metropolitan St. Louis area was approved by both the Illinois

and Missouri legislatures in 1949 sessions.

According to the American Society of Planning Officials, the agency will be organized along the lines of the Port of New York Authority, which operates in New Jersey and New York. The newly founded bi-state district will take in three Illinois counties—Madison, St. Clair and Monroe, which include the heavily populated Alton-East St. Louis industrial area—and the Missouri counties of St. Louis, St. Charles and Jefferson west of the Mississippi River.

Commissioners appointed by the governors of the two states are to contract for creation of a bi-state development agency of ten members, five from each state, with authority to submit to the communities within the area plans for coordination of various public projects. It is also authorized to construct, maintain, own and operate bridges, tunnels, airports and terminal facilities. Illinois has appropriated funds for half the initial cost of the agency, but Missouri must await its next legislative session.

Tennessee Provides Vote on Limited Constitution

Constitutional revision is under way in Tennessee—the state with the “virgin constitution,” unamended since its adoption in 1870. The 1949 legislature has authorized a referendum on a limited constitutional convention at the November election.

Twenty unsuccessful efforts have already been made to alter the basic law. Failure has been attributed to the general apathy of the citizenry, inclination of a large part of the public to regard the existing constitution as divinely inspired, opposition of the Crump machine of Shelby County and the very difficult amending process.

Proposed amendments must be ap-

proved at two biennial sessions of the General Assembly, in the first instance by a majority vote and in the second by a two-thirds vote; they must then be approved at the next general election by a majority of those voting for legislators in that election. The legislature may not propose amendments more often than once in six years.

Amendments may also be initiated by a convention authorized by a majority of those voting on the question in a referendum. Convention delegates are elected, and proposed amendments are submitted to the voters for ratification at the following general election.

The present movement began in 1945 when the General Assembly established a constitutional revision commission which recommended that a convention be called for the purpose of amending nine sections of the constitution. The commission's proposed amendments would simplify the amending process, authorize a classified property tax and an income tax on income-producing intangibles, establish total rather than voting population as the basis for apportioning representatives, reduce the legislative quorum from two-thirds of the membership to a majority, raise the compensation of legislators from four to ten dollars per diem, lengthen the governor's term from two to four years, give the chief executive an item veto on revenue and appropriation bills and allow him five days beyond the close of legislative sessions in which to sign bills, give the legislature discretion as to a poll tax, establish municipal home rule, and authorize city-county consolidation.

The 1947 General Assembly took no action on the commission's report. In the 1948 general election, however, the victorious Democratic party made an issue of constitutional revision, and at the 1949 legislative session a referen-

dum was authorized on the calling of a limited constitutional convention to draft amendments dealing with the sections of the constitution treated by the revision commission.

The state attorney general, however, has issued an opinion that the constitution does not provide for calling a limited convention. A declaratory judgment on this point has been requested from the Tennessee courts.¹ In case of a favorable ruling it will be necessary for the electorate (1) to approve the convention at the referendum on November 8; (2) to elect delegates on April 20, 1950, for the convention to convene May 15, 1950; and (3) to adopt the amendments proposed by the convention at the general election in 1950.

On the chance that the proposal for the limited convention might be rejected, the legislature has approved eight of the revision commission's recommended amendments—all except the one reducing the quorum requirement—and started the process of constitutional amendment by direct legislative initiation.

CATHERINE F. SIFFIN
Massachusetts Federation of
Taxpayers Associations

Efficiency of State Governments Furthered

Changes in governmental organization, to increase efficiency, were undertaken by the legislatures of several states in their 1949 sessions. Various others provided for major studies of state government modeled after the National Commission for the Reorganization of the Executive Branch of the Government headed by Herbert Hoover.

¹On August 12 the chancery court of Davidson County (Nashville) ruled that the 1949 legislation was legal, as the people can limit the scope of a constitutional convention. An appeal to the state supreme court is expected shortly.

er, the Council of State Governments reports.

In Arkansas the legislative council created in 1947 was reorganized. Membership was reduced from 34 to 23 and will now be confined to legislators. A resolution endorsing the idea of a unicameral legislature and urging the electorate to initiate a constitutional amendment to provide for one was adopted by the Senate.

A state department of agriculture was established by the Colorado legislature, thus unifying the work and organization of various related commissions into a single executive department. Montana's legislature approved a constitutional amendment to establish a department of labor and industry.

The Nevada assembly created the offices of state budget director and legislative auditor, and a state purchasing agency.

North Carolina created a state personnel council, and functions with respect to personnel administration formerly performed by the budget bureau were transferred to it.

In Tennessee the assembly established a reference, research and bill drafting agency to serve the legislature.

States setting up reorganization study commissions include Arizona, Connecticut, Idaho, Illinois, Iowa, New Hampshire, North Dakota and Wisconsin.

States Expand Conservation Activity

Increasing awareness of the importance of conservation of natural resources is indicated by state legislative action in 1949 sessions.

In some cases, the American Society of Planning Officials notes, expanded conservation activities involve new approaches in interstate cooperation.

Nevada provided for cooperative agreements with surrounding states concerning fish resources and created a special committee to work with California in dealing with problems of the Lake Tahoe area.

In Arkansas the General Assembly adopted a broad program for stream pollution control and approved an expanded game and fish development program. Idaho provided appropriations to develop lands for watershed protection and recreational use.

The Tennessee legislature expanded the state's forestry control program and gave conditional approval to the Ohio River Valley sanitation compact already in effect among eight states. It also created a nine-man fish and game commission, a stream pollution control study commission, a new advisory conservation commission and a west Tennessee flood control and soil conservation district.

Both Montana and Nevada enacted water pollution control acts and legislation on construction and financing of sewerage facilities. New York approved a law to establish a statewide program for water pollution control.

Illinois Cuts Amount of Veterans' Preference

Reversing the general postwar trend, the Illinois legislature has reduced the amount of preference given to veterans in state civil service examinations, according to the Civil Service Assembly. Under the old law all veterans who passed state civil service examinations were placed at the top of the eligible list ahead of all non-veterans. The amendment provides that veterans are given five points in entrance examinations if they pass the examination, and their place on the eligible list is determined by their augmented rating. No extra preference is given for disability.

(Continued on page 424)

County and Township Edited by Elwyn A. Mauck

Home Rule Sought for North Carolina Counties

Constitutional Amendment Suggested by Commission

ONE of the recommendations submitted by the North Carolina Commission on Public-Local and Private Legislation is that the state adopt a county home rule constitutional amendment. The commission was appointed as a result of legislative action in 1947 and reported early in 1949 after more than a year of intensive study. It recommended also that the 1949 General Assembly create another commission to continue its work.¹

Regarding county home rule the commission recommended:

1. That counties be given constitutional authority to legislate for themselves with respect to all matters requiring or properly permitting local rather than statewide legislative treatment;

2. That the General Assembly be prohibited by the constitution from enacting special laws dealing with any matters upon which counties could legislate;

3. That the General Assembly then enact county home rule enabling legislation somewhat similar to the North Carolina home rule act for cities and towns;

4. That the General Assembly broaden the powers of county commissioners to enable the latter to legislate on county matters; and

5. That legislation be enacted classifying the counties, as well as cities and towns, upon some suitable basis

Press Reports on Manager Plan in Anne Arundel County

A feature story in the Annapolis, Maryland, *Capital*, reports that the newly adopted manager plan for Anne Arundel County has resulted in great improvement. It emphasized, however, that there remain many pitfalls that might result in the plan's failure. County Manager William S. Coburn was given credit for much of the plan's initial success. Improvement already had been noted in the conduct of county board meetings.

A reorganization plan drafted by the manager was approved by the board on June 21. It provides for establishment of three departments, finance, public works and administration. Fifteen bureaus and divisions are grouped under them. Finance includes the bureaus of treasury, assessments, accounting, and procurement and supply. Public works includes the divisions of plans and surveys, bridges and roads, public building, shore erosion, and utilities. Finally, the department of administration has divisions of dog license, mail and general file, weights and measures, building permit and inspection, amusement device inspection, and legal.

County Manager Plan Developments

A proposal to adopt the manager plan of government in Santa Cruz County, California, meets with the full approval of the Santa Cruz city council. Although the city has had the plan only ten months, the councilmen are enthusiastic. In a letter signed by all

¹For the full report of the commission see *Popular Government*, published by the North Carolina Institute of Government (Chapel Hill), February-March, 1949.

of them to the county they comment: "The operation of the city manager plan has proven every bit as effective as we anticipated when we accepted the responsibility of serving on the city council to put the new charter into effect."

The home rule manager plan charter of Santa Clara County, California, has been approved by the state legislature, but operation is delayed because of an attack in the courts by charter opponents. Since the type was garbled in some of the publications, the opponents are claiming that the charter was not published the requisite ten times. The Board of Supervisors has denied the allegation and has asked the Superior Court to dismiss the suit.

A survey group employed by the board of supervisors has recommended that Oakland County (Pontiac), Michigan, should adopt the manager form of government. Most of the recommendations in conjunction with the manager plan, however, cannot be adopted until the Michigan constitution is amended.

Virginia County to Vote on Executive Plan

The board of supervisors of Prince William County, Virginia, recently voted unanimously in favor of a popular referendum on adoption of the executive form of county government. The circuit court judge for the area is required to call the referendum in 60 to 90 days. If the vote is favorable to the executive form, a newly elected board of supervisors would succeed the present board next November.

The county executive plan is provided under the optional forms act passed by the Virginia legislature in 1932. It is somewhat similar to the manager plan which also is provided as an option under the act. Under the executive form the board of super-

visors appoints subordinate officers upon recommendation of the county executive, while under the manager form the manager has full power of appointment.

In other respects the plans are virtually identical. Both vest full legislative and administrative power in the county board, both provide for appointment of all administrative officers except the clerk, sheriff and commonwealth's attorney, both abolish the fee system of compensation, both provide the board with a responsible executive agent in the executive or manager, and both effect the abolition of many obsolete county offices.

King County, Washington, Drafting Home Rule Charter

Under authority of recently enacted enabling legislation¹ the King County, Washington, Advisory Charter Commission is engaged in studying the problems of drafting a home rule charter. The commission hopes to make its decisions regarding the desired basic form of government by early autumn. It has divided itself into five committees to study various phases of county government.

Evidence received by the commission to date is in conflict regarding the desirability of nonpartisan elections. It has received testimony in favor of merit and budgetary systems. One of its committees has reported unfavorably regarding the desirability of adopting the commission form of government. It pointed out that the commission form is losing its popularity throughout the United States.

Richard Watts, executive director of the Washington Association of County Commissioners, in an appearance before the advisory commission, urged it

¹See the REVIEW, December 1948, pages 607 and 616.

to perform its task well because he believed the King County charter would then become the model for other counties in the state.

Wisconsin Counties Urged to Enter Public Health

The Wisconsin State Department of Public Health has established a new division of local health administration to encourage counties and cities to enter the public health field on a much more extended scale than they have in the past. The state has enabling legislation permitting creation of county, city-county and multiple county health departments. At the present time approximately a third of the population of Wisconsin lives under the protection of a full-time local public health program.

State officials in the Health Department concede that financial assistance must be given to the counties to encourage them to adopt or expand public health programs. It is anticipated that the federal government will provide additional subsidies for public health in the future. State officials propose that the federal government, the state and localities share equally the cost of an expanded local program.

County Provides Intern Program

Westchester County, New York, probably can lay claim to being the first county in the United States to provide an internship program comparable to those already instituted in some states and in the national government. It is giving five young college graduates, referred to locally as "Westchester's career boys," a practical introduction to the problems of county government. At the end of a twelve-month period of internship, they probably will be placed in regular

positions of the county government, in so far as vacancies are available.

The training program is begun with a week of orientation lectures on the administrative, judicial and legislative branches of the county government. The second week consists of a series of field trips to county installations throughout Westchester. The remainder of the year is devoted to tasks or special projects in the county assigned on a rotating basis.

The five young men composing the original class of interns have taken their graduate and professional work at Syracuse, Columbia, New York and Fordham Universities.

Pittsburgh Area Adopts Smoke Abatement

Allegheny County, Pennsylvania, recently adopted a county-wide smoke control ordinance effective in all parts of the county except Pittsburgh. A comparable Pittsburgh ordinance went into effect in October 1947. Railroads are required to comply with the ordinance immediately, but industry has one year of grace and homeowners have until June 1, 1953, to make the needed installations.

County Fights Fire with Radio

Crawford County, Pennsylvania, has installed a complete radio system throughout the county for use in fire prevention and fire fighting. It is operating upon a radio frequency recently allocated to fire departments by the Federal Communications Commission. All volunteer fire departments in the county are connected with the system. In addition to the equipment at the central station and at the various fire stations, walkie-talkie machines are used for communication between persons at the fire site and the local fire department's headquarters.

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Proportional Representation . . .

*Edited by George H. Hallett, Jr.
and Wm. Redin Woodward*

(This department is successor to the Proportional Representation Review)

Massachusetts Legislature Scuttles P. R.

Prevents Future Adoption of the System by Any City

AFTER numerous unsuccessful attempts, enemies of P. R. in Massachusetts have finally succeeded in persuading the legislature to remove proportional representation from the state's optional Plan E charter for cities. Almost from its inception this feature of Plan E—council-manager plan with P. R. for election of the council and school committee—has been under legislative attack. While the Senate has frequently polled a majority against it, until now P. R. has been sustained by the House.

This is at least the third vote this year excluding reconsideration votes. The vote on March 16, the first time the bill was presented, was 122 to 92 to sustain P. R. The vote on August 1 against it was 102 to 100. A motion to reconsider was defeated next day 98 to 93. Governor Dever signed the bill on August 10.

The bill exempts from its provisions the six cities which have already adopted Plan E—Cambridge, Lowell, Worcester, Medford, Revere and Quincy. However, it provides that a referendum on abandoning P. R. may be held in those cities on petition signed by 10 per cent of the voters.

Pointing out that present statutes make ample provision for cities which do not desire to use P. R. (Plan D provides the manager plan with ordinary majority voting) the *Springfield Republican* says editorially: "By its action the legislature has been guilty

of a flagrant violation of the principle of home rule. It has taken from the voters . . . the right to determine how their local officials shall be elected."

Following the Senate's vote on the question the *Boston Traveler* commented editorially, "That was a mighty shabby vote in the Senate on the repeal of Plan E. By 19 to 17 that august body took it upon itself to prohibit the citizens of Massachusetts from voting on Plan E in the future. . . .

"To us it is shocking that the freedom of expression for the citizens of this state—traditionally one of the foremost states in the union on the matter of civil liberties—should be arbitrarily curtailed by nineteen autocratic senators.

"We happen to believe that Plan E has demonstrated itself as a remarkably successful form of city government. Its proportional representation feature has for the most part reduced ward heel political influence to a minimum. The argument that it encourages Communism is completely specious in Massachusetts where the Communists have absolutely no political standing."

In its editorial of August 5 the *Boston Herald* comments: "The legislature has taken a backward step by voting to eliminate the proportional representation feature of Plan E charters. . . . There is not one iota of evidence to show that the proportional voting system loses its proportionality only for Reds. It would be strange indeed if such anti-Communist countries as Ireland and Switzerland should continue to use P. R. if it were a device which radicals could manipulate. . . . We sad-

ly fear that it is not the discriminatory character of P. R. but its failure to discriminate in the right direction that has earned it the enmity of many of our local politicians."

In at least two cities, Chelsea and Gloucester, petitions have been filed for a vote on Plan E this fall. Other cities, including Somerville, have been working toward the same end.

Belgium Chooses New Parliament by P. R.

A general election in Belgium on June 26 produced little change in the political position of the two largest parties but saw the small Liberal party almost double its strength to become the third largest while the Communist party lost almost half of its parliamentary strength.

The Christian Social party polled 39.9 per cent of the vote as against 42.5 per cent in the 1946 election. Because of the slight departures from proportionality inherent in the use of districts, however, it secured twelve more seats than it obtained in 1946. The 104 seats obtained this time out of the total of 212 members of the Chamber of Deputies were still a few seats short of a majority, so that at least one of the other parties was needed to support a new government.

The hand of the Christian Social party has been strengthened by its obtaining undisputed control of the Senate, winning a majority of the 106 seats subject to direct election as well as a majority of the indirectly elected senators. This gives it a veto power over the government.

The Socialist party, which together with the Christian Social party backed the government of Premier Spaak, lost three seats and now has 66, although it gained slightly in popular vote—from 31.6 to 31.8 per cent.

The Liberal party, which favors more of a free enterprise economy, obtained 16.2 per cent of the vote as against 8.9 per cent in 1946, and raised its representation in the Chamber of Deputies from 17 to 30. The Communists, on the other hand, went down to 8 per cent of the votes and 12 seats, compared with its 12.7 per cent vote and 23 seats in 1946.

A summary of the Chamber of Deputies election, based on a report in the *New York Herald Tribune*, is given below:

Party	Per Cent		Per Cent	
	Votes	Seats	Votes	Seats
Christian Social	39.9	104	49	
Socialist	31.8	66	31	
Liberal	16.2	30	14	
Communist	8.	12	6	
All others	4.1	0	0	

Formation of a government to replace that led by Premier Paul-Henri Spaak, which continued in office on a provisional basis, met some delay because the Christian Social party was unable to get either the Socialists or the Liberals to agree to its desire to recall King Leopold III from exile. On August 11, however, the Christian Social and Liberal parties undertook to form a government under Gaston S. Eyskens, who thereupon became premier.

Municipal Elections Held in Netherlands

Proportional representation elections under a party list system were held in all municipalities in the Netherlands on June 15. Some 1,860 council positions were filled. There was little change in the distribution of party strength except that the Communist party lost about half its following and obtained a mere 6 per cent of the total seats.

The cities of The Hague and Rotterdam by themselves showed a similar

pattern, but in Amsterdam the Communist vote was not so small nor did it show quite so large a decline over the 1946 elections.

Nationwide summaries shown below, as well as those for the three cities named above, are reported by the Netherlands Information Bureau.

NETHERLANDS MUNICIPAL ELECTION
NATIONWIDE SUMMARY

Party	No. of Seats		Per Cent Seats	
	1949	1946	1949	1946
Catholic People's	557	543	29.9	29.7
Labor	547	556	29.4	30.4
Protestant Christian Group*	444	392	23.8	21.4
Freedom and Democracy	157	97	7.6	5.3
Communist	112	214	6.0	11.7
Other parties	43	26	2.3	1.4

*Consists of the Anti-Revolutionary, Christian Historical and Political Reformed parties, which in some localities contested the election individually and in others did so jointly.

ALBERTA PROVINCIAL LEGISLATURE
1948 ELECTION OF CALGARY MEMBERS

Party	Votes*	Percentage of Votes	Seats	Percentage of Seats
Social Credit	13,048	33.4	2	40
C. C. F.	5,742	14.7	1	20
Liberal	6,215	15.9	1	20
Independent	6,339	16.2	1	20
Others	7,757	19.8	0	0
	39,101	100	5	100

1948 ELECTION OF EDMONTON MEMBERS

Social Credit	22,997	49.8	3	60
C. C. F.	8,684	18.8	1	20
Liberal	7,692	16.7	1	20
Others	6,777	14.7	0	0
	46,150	100	5	100

*The votes given are the effective votes for the candidates elected as reported on the last count. Percentages are based on the total number of valid votes cast.

SEATS IN THREE LARGE CITIES— 1946 AND 1949						
Party	Amster- dam		The Hague		Rotter- dam	
	1949	1946	1949	1946	1949	1946
Catholic						
People's	9	8	10	11	7	7
Labor	14	15	15	14	19	18
Protestant						
Christian	6	5	10	9	9	8
Freedom and Demo- cracy	4	2	6	4	5	3
Commun- ist	12	15	4	7	5	9

P. R. and Majority Systems
Contrasted in Alberta

The provincial election held August 17, 1948, in the Canadian province of Alberta shows a sharp difference in results between the constituencies of Calgary and Edmonton, which elected five members each by the Hare system of P. R. to the provincial legislative assembly, and the rest of the province, which chose its representatives by the Hare system of majority preferential

voting ("the alternative vote") in single-member districts.

The Social Credit party monopolized representation except in the P. R. districts of Calgary, where it elected only two out of five, and Edmonton, where it elected three out of five. It carried every one of the single-member districts except Banff-Cochrane, where an independent Social Credit candidate led the poll. The results in these districts were all the same as they would have been under the usual plurality system, for the leading candidate on the count of first choices won in every case.

Over the entire province the Social Credit party had approximately 56 per cent of the votes, but won 50 out of the 56 seats contested. The minority parties outside the two P. R. districts polled about 30 per cent of the total vote cast in the province but failed to elect any representatives.

The summaries for Calgary and Edmonton are given in the table on page 411.

Western Germany Holds First Elections

On August 14 the voters of Western Germany elected members of the German *Bundestag* under the country's new constitution. The electoral law adopted by the Parliamentary Council at Bonn provides that half of the four hundred members be chosen by proportional representation, the other half by single member districts.¹ This department will carry a full report on the election in its October columns.

P. R. League Loses Two Council Members

The Proportional Representation League has recently lost two widely

known and respected members of its advisory council, Lent D. Upson of Detroit and Carl D. Thompson of Chicago.

Dr. Upson, for many years director of the Detroit Bureau of Governmental Research and subsequently dean of the School of Public Affairs and Social Work at Wayne University, was one of the foremost leaders in the improvement of American local government. His survey of the government of Cincinnati set the stage for that city's adoption of P. R. and the city manager plan in 1924. He was a member of the P. R. League Council from 1919 until his death on May 9 of this year. Further information about his distinguished career was given on page 266 of this REVIEW for June.

Mr. Thompson was the veteran executive director of the Public Ownership League of America. He had been a helpful and interested member of the P. R. League's council since 1914. In failing health for some time, he died in Lincoln, Nebraska, on July 3.

Millard Appointment

Mr. Thompson's place as director of the Public Ownership League and editor of its publication, *Public Ownership of Public Utilities*, has been filled by the appointment of Walter J. Millard of Cincinnati, who is well known to proportionalists. Mr. Millard has been field secretary of the P. R. League since 1918 and before the League's merger with the National Municipal League in 1932 spent most of his time travelling throughout the United States and Canada speaking in the interests of P. R. and the council-manager plan. He has probably participated in more city charter campaigns than any other living man.

¹See the REVIEW, June, page 298.

Taxation and Finance Edited by Wade S. Smith

In Lieu Payments Dead for 1949

Congressional Action Looked for Next Year

HOUSE hearings on the Engle bill to authorize federal payments in lieu of taxes¹ to local government agencies appear to have quenched likelihood of passage of such legislation this year. According to some observers, however, conferees generally accepted the principle of federal responsibility to make some kind of payments and the reporting of an acceptable bill next January is regarded as "virtually guaranteed."

Most tangible hopeful feature from the local official's point of view was a committee request that the Budget Bureau approve a \$42,000 expenditure by the Federal Works Agency to cover the expense of bringing up to date federal property records from which the cost of in-lieu payments could be estimated.

The White House attitude toward the proposal seemed to be summed up in the message President Truman sent to the Senate in vetoing a bill providing for payment to Reno, Nevada, of \$1,620 in street improvement assessments levied against a Federal Forest Service property.

The president cited the "numerous cases of hardship in particular communities" resulting from the doctrine of intergovernmental immunity, acknowledged the desirability of adopting general legislation to provide a comprehensive program for payments on account of federally owned proper-

ty, and noted that general legislation was pending before Congress dealing with the problem's over-all aspects.

Vetoing the bill to avoid establishing a precedent for piecemeal action, the president said: "Any legislation providing relief should be of general application, should not be retroactive in its coverage, and should deal with the problem on a comprehensive basis."

States Boost Gas Tax Rates

The 1949 legislatures in fifteen states have raised gasoline tax rates. Increases of two cents per gallon were enacted by Missouri, New Mexico and North Dakota, while Washington raised the rate one and a half cents. One cent increases were made by Delaware, Kansas, Minnesota, Montana, Nebraska, North Carolina, Oklahoma, Oregon and Pennsylvania, and a rise of a half cent was made by Nevada and Vermont.

Several of the raises have been or will be passed on by the voters. At a referendum in June North Carolina voters approved raising that state's gas tax beginning next January. The North Dakota increase, scheduled to take effect July 1, has been referred to the people and will be voted on in June 1950, while it is expected that the voters will have opportunity to pass on the Missouri legislation.

In addition to the new increases—which were the second since 1945 in Vermont and Kansas—three states made permanent the temporary increases enacted in 1947 and scheduled to expire this year. They were Idaho, Maine and West Virginia.

Higher revenue from the gas taxes will be used primarily to finance

¹See the REVIEW, June, page 300.

construction and improvement of state road systems, according to the Federation of Tax Administrators. Last year, state gas taxes yielded approximately \$1,300,000,000, while gasoline sales were about 8 per cent higher than in 1947.

State-Local Financing Continues High

New borrowing by state and local governments continued extraordinarily substantial through the first seven months of 1949. Although the total of state and municipal bonds issued during the first seven months of the year, as compiled by *The Daily Bond Buyer*, was 12.6 per cent below that for the corresponding period in 1948, the difference was more than accounted for by several unusually large state soldier bonus bond issues sold last year so that state-local financing for capital improvements this year was actually ahead of the 1948 period.

State-local financing during the period through July 1949 totaled \$1,680,254,049, according to *The Daily Bond Buyer's* data, compared with \$1,923,022,923 during the comparable months in 1948. The 1948 period included, however, \$300,000,000 New York State veterans bonus bonds and \$200,000,000 Ohio veterans bonus bonds, as well as a similar \$85,000,000 issue of Illinois. In the 1949 period, the largest state veterans bond issue was \$84,000,000 by Minnesota, and all bonus issues aggregated something less than \$220,000,000, or little more than the 1948 Ohio issue alone. Thus, if the veterans bonus issues are excluded, other financing approximated one and one-half billion dollars for the 1949 period compared with about one and one-third billion for the same 1948 months.

The continued absorption of a large volume of new state and municipal bonds is being accomplished at

interest costs which still average low. The *Bond Buyer's* index of municipal bond yields stood on August 4, 1949, at 2.13 per cent for twenty representative issues, compared with 2.19 per cent January 6, 1949, and a 1949 high of 2.21 per cent on June 2. During 1946 the index had reached its all-time low at 1.29 per cent, and had increased thereafter to a postwar peak of 2.47 per cent in March 1948. On August 5, 1948, the index had been 2.33 per cent.

Toll Roads Sought by More States

Success of toll roads in Pennsylvania, New York and Connecticut has spurred the 1949 legislatures of at least two states to approve their construction: The Colorado legislature passed a bill permitting construction of a \$5,000,000 toll road between Denver and Boulder, authorizing the State Highway Department to guarantee payment of 30 per cent of the bond issue necessary to finance the project; Ohio has approved a measure creating a turnpike commission with authority to build toll highways.

New Jersey recently authorized construction and operation of a 130-mile cross-state toll road. Discussions are under way with Pennsylvania officials on the possibility of linking existing and planned turnpikes of the two states, providing an extended express highway, according to the American Public Works Association.

Construction of New Hampshire's \$7,500,000 superhighway is nearing completion. Work was begun at five points along the road's fifteen-mile right-of-way. Oklahoma also has a 100-mile toll turnpike between Tulsa and Oklahoma City under construction. That state has recently extended the life of its turnpike authority for two more years.

A study is under way in Massachusetts to determine whether a 90-mile toll road across the state would be self-liquidating on the basis of traffic volume. The road would join Connecticut's expressways and would cross the state to New Hampshire. First reports from Maine's toll road project indicate that it went in the red despite a mild winter.

Transit Systems in Trouble

Increased fares have brought increased revenues to municipally-owned transit systems. Despite this, however, many lines, both public and privately owned, are in the red because of the slump in passenger traffic and increased costs. Among the factors boosting operating costs are pay increases for transit system employees.

A *Wall Street Journal* survey reports 63 cities now with fares of ten cents or more. In 1945 only 23 cities paid a fare that high. The highest reported is in Chicago with a 15-cent fare.

For the first quarter of 1949, the Cleveland transit system showed a net income of \$119,408 as compared to a deficit of \$830,473 in a like period last year. The change reflects the effects of a two-cent fare boost last year as well as a change from a two-man to a one-man operation.

Reports from New York's transit system show that total revenues in the ten months ending April 30 amounted to \$174,000,000 against \$112,000,000 in the same period last year. Earnings for the period totaled \$10,600,000. New York increased subway and elevated fares to ten cents and raised surface line fares to seven cents a year ago.

The Detroit Department of Railways made a one-third cut in deficit in the first four months of this year. It has been proposed that the city council help the transit lines by forgiving all or part of its taxes which amounted to more than \$700,000 last year. Detroit's thirteen-cent fare became effective in April 1948.

The loss by San Francisco on its transit operation for the first four months of the year was \$406,347 as compared to \$617,463 through April 1948. Chicago showed a net income deficit of \$402,403 for the quarter as compared to a \$116,000 profit last year.

The Boston Metropolitan Transit Authority, headed by a state appointed board of trustees and representing the fourteen communities served by the system, estimated that it would be in the red \$11,000,000 by the end of 1949, based on the \$5,000,000 loss sustained in the first six months of the year. A ten-cent fare, first adopted in 1919, still prevails in that system.

THE LEAGUE'S BUSINESS (Continued from page 374)

Bill. He has done a grand job and I hope that he will agree to keep serving for the next fifteen or sixteen months.

I am deeply grateful in the knowledge that you and the others of the nominating committee want me to serve again. If I am re-elected, I will do my best in helping to guide the League's destiny. If not re-elected for any reason, I will do the same.

Sincerely yours,

/s/ CHARLES EDISON

The nominating committee's complete report will be sent to all members, probably in the October issue of the *REVIEW*, prior to its formal presentation at the meeting of members at 5 P.M. November 28 at the National Conference on Government in St. Paul. Suggestions for members of Council will be welcomed by the committee and may be addressed to Dr. Bird at the League office.

Citizen Action Edited by Elsie S. Parke

Winnetka Caucus— How It Works

Unique Device Eliminates Local Partisan Politics

WINNETKA, Illinois, (population 13,000) is one of those pleasant high grade residential suburbs which grace the lake shore just north of Chicago. It has no manufacturing (zoned out) and its amenities have been cherished under the council-manager plan and the enlightened managership of H. L. Woolhiser who holds the record among city managers for length of service—31 years—in a single city.

Back of this political serenity lies a unique device, the Winnetka Caucus. At its beginning the caucus was a meeting of a group of citizens of both parties who organized to keep all party politics, Republican and Democratic, out of village affairs and if possible to eliminate meaningless party contests. They won their way against partisan activity after several decisive victories for their nominees, and partisan activity has never reappeared.

A dainty brochure published by the council celebrates the 75th year of the village's existence and officially describes the success of this novel formula.

"Even where the tradition of good citizenship is well grounded and the sense of individual responsibility highly developed, a dependable mechanism for expressing the community's will for good government must be available. In Winnetka this has been achieved over the past 29 years through its unique 'caucus' system for nominating candidates for local office.

"The basic plank of the caucus, and the one chiefly responsible for its con-

tinued success, is that 'the office seek the man, never the man the office.' Thus nomination for office carries with it a degree of public recognition which is quite at variance with the stigma that sometimes attaches to self-initiated political aspirations.

"Through the caucus the community is enabled to draft virtually whom ever it chooses for public office. Moreover, since nomination is, or at least always has been, the equivalent of election, the necessity for an election campaign by the candidate is eliminated, serving as a further inducement for attracting qualified men and women to stand for election.

"The Caucus Committee, the main spring of the caucus system, is chosen annually. Each new committee is initiated by the outgoing committee through the designation of a Caucus Nominating Committee of twelve members chosen from outside its membership, thus eliminating any tendency toward self-perpetuation. The members of the Nominating Committee are selected to give representation to each precinct in the village and may not name any of their own number to the Caucus Committee.

"The Nominating Committee, after careful deliberation, designates its nominees, reporting directly to the caucus meeting rather than to the Caucus Committee. Two members, sometimes three, are chosen from each of the twelve precincts in the village and five are chosen as representatives-at-large.

"A few members of the expiring Caucus Committee may be selected to assure familiarity with procedure but the large majority are entirely new. They are chosen for their demonstrated interest in community affairs and their known sympathy with the established procedures, traditions and ideals of the village. If and when accepted at the general caucus meeting held in advance of the election in April, they then become the Caucus Committee for the ensuing year.

"The Caucus Committee, thus chosen, meets in the fall of the year, elects its chairman, secretary and treasurer and

proceeds to organize into various sub-committees—publicity, finance, platform, candidates, etc., so as effectively to discharge its duties.

Selecting Candidates

"The principal task is, of course, the selection of suitable candidates for the offices to be filled at the spring election. Originally these consisted only of the village and library officials but the results there were so satisfactory that, at the request of voters, selection of the candidates for the school and park boards were later added.

"Suggestions both as to platform and candidates are invited from all organizations in the village and from individual citizens as well. Possible candidates are checked from all angles but fitness is the one final determinant for selection. Partisan politics does not enter into the picture at all.

"After protracted deliberation the Caucus Committee makes its decisions. It then obtains the consents to serve of the candidates chosen, also their signed agreements to conform to the platform declarations, after which the nominees are announced and a public caucus meeting for their ratification or rejection is called.

"The general caucus takes much the form of the old New England town meeting. Outgoing officials report on their trusteeship and discussion is invited.

"The Caucus Committee then offers its platform for approval, reports on its finances and finally presents its nominees for office. Opportunity is allowed for the presentation of alternative nominations, though rarely have any been offered. If and when the Caucus Committee's nominees are approved by the general caucus group, they then become the official candidates of the Caucus party and, in the absence of successful competition, are selected at the annual election in April.

"That the caucus candidates have been consistently elected is evidence of its painstaking choice of nominees and reflects the community's approval of this method of choosing its public servants."

The *Winnetka Weekly Talk* in an editorial urging attendance at the an-

nual village caucus on February 5, 1948, said:

"This, the open caucus system, is, locally at least, Winnetka's contribution to American political science. It has been adopted, with minor changes, by the other three villages of New Trier Township.

"It was devised before the First World War by a group of public spirited Winnetka citizens who grieved over the heated nonsense of municipal elections in which, except for personalities, there were no real issues.

"In the old days, two or three groups of citizens would meet in closed caucus and handpick a slate of candidates for the forthcoming election. The people had no say in the nominations; they could only make a guess at which of the two local parties was the better.

"The caucus system changed that. A committee, which cannot perpetuate itself, is selected each year. It makes its report to all the villagers at an open meeting. No candidates can be selected in secret.

"While the village caucus generally concurs with the recommendations of its committee, it is under no compulsion to do so, and it has happened in the past that the caucus has named its own candidates.

"Legally, the caucus is simply a group of citizens who form a new local political party each year. There is nothing to prevent an opposition organization getting on the ballot.

"It is significant, however, that the caucus plan has never been defeated and that it has not been seriously challenged since 1933."

From the manuscript of a speech made locally by Howard E. Green, a caucus committee chairman of several years ago, we cull some additional points:

"One of the unique characteristics of the caucus system as practiced in Winnetka is its lack of constitution or by-laws, rather it works within a framework of tradition. . . . By tradition which has grown up, there is almost a complete turnover of personnel on the committee from year to year. . . . The committee does have

access to the records of the preceding committee and thus there is an historical background on which each committee is able to establish its methods of operation and general procedures.

"The petitions committee . . . assumes the responsibility for drawing certain resolutions, looking after the details of filing petitions and seeing that the regular party ticket is presented for the voters' consideration. . . .

"Having eliminated office seekers by having an office seek the man or woman, having eliminated the unpleasant and often bitter friction which results from rival candidacies, we have succeeded in obtaining the services of some of the best qualified men and women in the village to fill these offices and, as all of you know, their labor is entirely a labor of love, for they serve without other compensation than the satisfaction of doing the job on behalf of the people of the community."

In order to avoid the difficulties and expense of primaries the Caucus party adopts a different name each year and, as a new party, the "Village" or other party, places its candidates on the ballot by petition. No other group or party having polled enough votes to be on a primary ballot, no primary is held.

Others Adopt Plan

Glencoe (population 6,825), adjacent to Winnetka, and two other villages in the township have copied the caucus principle. Glencoe reduced it to a set of written by-laws, "The Caucus Plan for Selecting Candidates for Elective Offices" (official pamphlet), and the town meeting adopted them in 1936. Caucus nominees to the elective offices have prevailed in all elections since and the present village manager has held his office since 1927. The 1948 caucus platform renews its support of the method which "avoids village election contests which are distasteful to candidates and to residents alike."

The long success of this nonpartisan caucus in Winnetka and in the adja-

cent villages undoubtedly depends upon the homogeneous high character of the residents; similar villages without the device are frequently not contentions and well served by the local governments too.

Its results in a village split on class, religious, or area lines might be very different and its capacity for resistance to capture by self-interested groups happens to be untested. Like any other system dependent on the turn-out at a kind of town meeting of a large enough proportion of the voters to avert packing, the Winnetka Caucus is hardly suitable for cities and would be harder to start now in Winnetka than it was with the much smaller population of that village (6,694) 29 years ago.

RICHARD S. CHILDS

Developments in Education for Democracy

Formation of the **National Citizens Commission for the Public Schools**, said by Harvard President James B. Conant to be "potentially the most important move for the advancement of public education in the last 50 years," has been announced by its chairman Roy E. Larsen, president of *Time*, Inc. The commission is composed exclusively of laymen representing business, labor, law and publishing. The idea for the commission, says Mr. Larsen, "was originally suggested by a group of leading educators who felt that real improvement in the public school situation could not come without citizen understanding, planning and action."

Henry Toy, Jr., an executive of the du Pont Company and founder of the Council for Delaware Education, has been appointed executive director.

One of the first projects of the new organization will be to cite instances of successful community action for improvement of the schools. The Carnegie

Corporation and the General Education Board are giving financial support to the project.

One of the **University of Wisconsin's** citizen seminars, "a program series designed to aid Wisconsin citizens to achieve a fuller understanding of the public affairs of the community, state, nation and world," is "A New Constitution for Wisconsin." The seminars are designed for either individuals or groups and may be obtained on a loan basis or purchased by a group at one dollar for each study kit. Rental for audio-visual material is an extra charge. The new constitution kit contains a copy of the Wisconsin constitution and various pamphlets including *Modernizing State Constitutions*, published by the National Municipal League, and *Revising the Wisconsin Constitution, Wisconsin Makes a Constitution* and *A New Constitution for Wisconsin* (discussion guide), all prepared by the University Extension Division.

In its first six months experience with Citizen Seminars, the university sold approximately a hundred study kits and lent some 325 more to 115 groups representing over a hundred communities. A much larger circulation is anticipated for the coming club year.

President Harold E. Stassen of the University of Pennsylvania addressed the **Association of American Colleges** in New York City on "The Citizenship Obligations of the American College Graduate." He listed four imperative obligations of the citizen: Exercising the right to vote, being reasonably well informed on major issues, forming opinions on these issues, and expressing those opinions in an appropriate manner to associates, officials of the government or the general public.

The second annual observance of

Good Government Day was conducted by the **Massachusetts Civic League** at the State House on April 8. The league, which acted at the request of the governor, prepared a pamphlet, *Your Government*, for the use of students which explained the functions of the three departments of state government. Forty student senators and 240 student representatives, from every senatorial and representative district in Massachusetts, were elected by fellow high school students to serve in the model legislature. The elections were conducted, in accordance with the Good Government Day statute passed by the legislature, under the supervision of the State Department of Education. A student governor and other student state officials participated in the "day."

In Quincy, Massachusetts, colored slides which explain the Plan E form of government—council-manager plan with proportional representation—were shown recently to certain officials and teachers of the schools who, in turn, will present them to high school pupils.

A competition on the problems of planning, open to students of public speaking, English literature and architectural drawing in Somerville, Massachusetts, public and parochial schools, was recently conducted by the James S. Logan Post of the V.F.W. Prizes were awarded for oratory, essay, and planning and analysis. The winning essay, by Nancy Foster of St. Joseph's High School, has been published in the July issue of *The American City*.

Let's Look at the Student Council (twelve pages) is another in a series of publications issued by the **Citizenship Education Study** sponsored by the Detroit Public Schools and Wayne University. Copies may be secured for 25 cents, with discounts on orders for ten or more.

Researcher's Digest

Edited by John E. Bebout

Municipal Services Show Huge Expansion

*Over Two Hundred Added in
Madison Says Union Study*

SOME 239 municipal services have been added to the government of Madison, Wisconsin, since 1900 a survey by the American Federation of State, County and Municipal Employees, AFL, discloses. The published report, *What Your Taxes Buy!* (16 pages, 25 cents), was summarized in the April-May *Public Employee*, official publication of the union.

An introduction explains that the year 1900 was used as a starting point because "1900 marked the beginning of a new period in community life and development that was markedly shaped by economic and social forces with which municipal government did not have to cope before the turn of the century" as well as "the beginning of a period in which citizens became more aware of the importance of local government."

Tables list the 239 added services by function and chronologically and show that in only two years since 1900—1919 and 1932—no new ones were undertaken. In other years additions have varied from one in 1902, 1921, 1924 and 1944 to eighteen in 1937. The list reflects changes due to technological and economic developments, wars and depressions.

Here are a few random samples from the chronological list: 1900, street paving program begun; 1902, children's library established; 1905, fire inspection, domestic science in schools; 1906, spring cleanup started; 1908, landscape architect first employed; 1909, bathing beaches and bath houses provided;

1910, traffic signs, first building code adopted; 1912, motorized patrol, dairies and milk inspection, garbage collection and disposal; 1913, plumbing inspection, dental examination of school children; 1915, policewoman added; 1916, chlorination of water; 1917, school lunches; 1920, motorized street cleaning; 1922, city zoning; 1925, guidance department in the public schools; 1929, city purchasing agent, toboggan slide built; 1930, traffic lights, Saturday morning classes in art and music; 1933, tavern licensing; 1934, new contagious hospital built; 1937, smoke inspection and abatement, drunk-o-meter tests begun; 1940, insurance fund for city buildings; 1941, parking meters first installed; 1942, mosquito abatement; 1943, nursery school; and 1947, cancer detection center.

Bureau Notes

Annual reports have been issued by the Connecticut Public Expenditure Council, Governmental Research Bureau of Duluth, New Haven Taxpayers Research Council, and Oklahoma Public Expenditures Council. The Duluth bureau's report is its 28th.

The National Training School for Public Service has announced that its Volker program will be continued and has named Loren Miller as acting director of the school, to succeed Dr. Lent D. Upson as director.

Topics for the lecture-discussions of the Metropolitan Chicago Research Center for the 1949-50 season include Illinois, Cook County and Chicago government, as well as housing in metropolitan Chicago.

Production — Participation — Accomplishment is an activities report of the Cleveland Citizens League and its Bureau of Governmental Research.

Con F. Shea, graduate fellow of the Department of Government of the Uni-

University of Denver, has begun an administrative survey of the government of Joplin, Missouri. The survey is sponsored by the Jasper County Tax Economy Association which recently completed a financial survey of the city.

Strictly Personal

Lennox L. Moak, former executive director of the Bureau of Governmental Research of New Orleans, has been named director of the Philadelphia Bureau of Municipal Research where he succeeds Robert K. Sawyer, now executive director of the Greater Philadelphia Movement. Val C. Mogensen, former research associate of the New Orleans bureau, has been appointed as its director.

Roscoe Martin, director of the University of Alabama's Bureau of Public Administration, has been appointed chairman of the Department of Political Science at Syracuse University.

Edward W. Weidner, assistant director of the Intergovernmental Relations Research Project of the University of Minnesota, has received an appointment at the University of California at Los Angeles.

Research Pamphlets and Articles

Assessment

Assessment Procedures in Rural New York. By Will Simmons. Ithaca, Cornell University, New York State College of Agriculture, 1949. 75 pp.

Proceedings of the Third Annual Short Course for Municipal Assessing Officers. Assessment of Commercial Buildings, Assessment of Industrial Buildings, Assessment of Commercial Personal Property, Building Cost Schedules—Their Necessity and Theoretical Application, Practical Application of Residential Building Cost Schedules. Ann Arbor, University of Michigan, Bureau of Government, 1949. 72 pp. \$2.

Budgets

Appropriations of the 19th Legislature, Compared with Those of the 18th. Santa Fe, Taxpayers' Association of New Mexico, *New Mexico Tax Bulletin*, June 1949. 5 pp.

Where Does the Money Go? (Recommendations in the interest of tightening the city's control over its expenditures). Cleveland, Citizens League, *Greater Cleveland*, June 10, 1949. 4 pp.

County Government

Administrative Survey: McLean County Government. Springfield, Taxpayers' Federation of Illinois, 1948. 38 pp.

Cost of County Government in Oklahoma, 1948. Oklahoma City, Oklahoma Public Expenditures Council, *Your Report on Government*, July 1949. 4 pp.

A Guidebook of County Appointive Offices. By Huey Blair Howerton. University, University of Mississippi, Bureau of Public Administration, 1949. 77 pp.

A Program of Constructive Economy for St. Clair County Government. East St. Louis, Illinois, St. Clair County Taxpayers' Association, 1948. 87 pp.

Home Rule

Home Rule Powers and Limitations. Framing and Adopting a New Charter. Some Charter Considerations. Philadelphia, Bureau of Municipal Research, *Citizens' Business*, May 3, 10, 17, 1949. 4, 4 and 6 pp. respectively.

Housing

Rents for Regent Park: A Rent-Scale System for a Public Housing Project. ("Rents are based on the financial capacity of families. . . . For each family size rents are graduated from a certain income level at which the rent is exactly 20 per cent of a family's income.") By Humphrey Carver and Alison L. Hopwood. Toronto, Civic Advisory Council, 1948. 49 pp.

Syracuse State Housing Units to Cost \$12,000. Rochester, Bureau of Municipal Research, *Bulletin*, May 1949. 1 p.

Insurance

The Administration of Fire Insurance on Municipal Buildings in New Hampshire. By Joseph R. Coupal, Jr. Durham, University of New Hampshire, Bureau of Government Research, *New Hampshire Town and City Notes*, Winter 1949. 15 pp.

Legislation

Law Making in South Dakota (Revised). By T. C. Geary. Vermillion, University of South Dakota, Government Research Bureau, 1949. 36 pp.

1949 Legislative Review. Denver, Colorado Public Expenditure Council, *Colorado Taxpayer*, May 1949. 8 pp.

Report of the Commission on Public-Local and Private Legislation Authorized by the 1947 General Assembly. (Recommendations of the Commission; The Problem of Private, Local and Special Legislation and City and County Home Rule in North Carolina; Thirty Years of Private, Local and Special Legislation in North Carolina, 1917-1949; State Constitutional Provisions Relating to Private, Local and Special Legislation and City and County Home Rule.) Chapel Hill, University of North Carolina, Institute of Government, *Popular Government*, February-March 1949. 79 pp. 25 cents.

The Session Ends (A poem). By William D. Belknap. Sante Fe, Taxpayers Association of New Mexico, *New Mexico Tax Bulletin*, July 1949. 1 p.

Six Proposals Submitted by the Legislature. Progress Report. (Codification of School Law, Election Laws, Home Rule, Ton-Mile Tax, County Fees, Retirement of Public Employees). Topeka, Kansas Legislative Council, May 1949. 48 and 9 pp. respectively.

Legislative Bodies

Cleveland's City Council. Toward a Stronger City Council (summary of *Cleveland's City Council*). Cleveland, Bureau of Governmental Research, 1949. 22 pp. and 4 pp. respectively.

Licenses

Fees for Building Permits. Building Fees by Cities. Taunton, Massachusetts Association of Commerce, *Research Brevities*, June 20 and 22, 1949. 1 and 2 pp. respectively.

Milk Regulation

Milk Control in Portland. Portland, Oregon, City Club, *Bulletin*, May 2, 1949, 18 pp.

Municipal Government

Buffalo's Mayors. Buffalo, Municipal Research Bureau, *Just a Moment*, May 26, 1949. 4 pp.

Improving the Government of Salisbury. By Joseph M. Ray. College Park, University of Maryland, Bureau of Public Administration, 1949. 42 pp.

Poughkeepsie City Government: Survey Report on the Government, Structure and Operations. Part One, General Administration; Part Two, Operating Departments. ("Although improvements to various administrative procedures could undoubtedly provide immediate answers to some of the problems, it is apparent that in most cases the solutions lie in basic structural changes in the government. It should be remembered that these can be made only by amending the present charter or by the adoption of a new charter establishing a different basic form of government." Poughkeepsie, Area Development Association, 1949. 26 and 31 pp. respectively.

Personnel

Carmen's Wage Determination. San Francisco, Bureau of Governmental Research, *Bulletin*, July 14, 1949. 2 pp.

Civil Service and Personnel in the City of Cleveland. By the Citizens League Subcommittee on Civil Service of the Griffenhagen Follow-Up Committee. Cleveland, Citizens League, 1949. 10 pp.

Civil Service vs. Spoils System. By James R. Watson and Thomas Graves. New York, Government

Research Association, *GRA Reporter*, May-June 1949. 4 pp.

How Practical Are Cost-of-Living Salary Plans for Cities. By John C. Crowley. Los Angeles, *Western City*, April 1949. 3 pp.

Municipal Personnel Problems. An address delivered by the Director of the Citizens Research Institute of Canada before the Annual Conference of the Canadian Federation of Mayors and Municipalities. Toronto, the Bureau, 1949. 6 pp.

Operation of the Civil Service System in Schenectady County and City. Schenectady, Bureau of Municipal Research, *Research Brevities*, May 1949. pp.

Standards for Professional Jobs: Survey Yardsticks Outlined. By Garret R. Breckenridge. Los Angeles, California Taxpayers' Association, *Tax Digest*, July 1949. 4 pp. 25 cents.

Veterans' Preference. Schenectady, Bureau of Municipal Research, *Research Brevities*, May 1949. 3 pp.

Police

St. Louis Reorganizes Police Department. Buffalo, Municipal Research Bureau, *Just a Moment*, June 23, 1949. 3 pp.

Salaries and Working Conditions of Policemen in Various Virginia Police Departments. Richmond, League of Virginia Municipalities, April 1949. 33 pp. tables. \$1.

Political Parties

The Republican Party in New Mexico: A Challenge to Constructive Leadership. By Charles B. Judah. Albuquerque, University of New Mexico, Department of Government, Division of Research, 1949. vi, 37 pp. 50 cents.

Public Health

Comparative Health Administration in Metropolitan Los Angeles. By Margaret Gorsuch Morden and Richard Bigger. Los Angeles, University of

California, Bureau of Governmental Research, 1949. 52 pp. 50 cents.

Social Security

How Much Should We Pay for "Security"? (A summary of proposed federal public welfare, social security and compulsory health insurance programs.) Detroit, Michigan Public Expenditure Survey, May 9, 1949. 4 pp.

The Old Age Assistance Program in Louisiana. New Orleans, Bureau of Governmental Research, *State Problems*, June 1949. 8 pp.

State Government

A Manual of State Government in Michigan. (Facts about the state government including its 104 boards and commissions.) By the Department of Administration, State of Michigan, and the Bureau of Government of the University of Michigan. Ann Arbor, University of Michigan Press, 1949. xiv, 266 pp. \$2.50.

The "Welfare State" at the State Level. By John F. Sly. New York, Tax Foundation, *Tax Review*, June 1949. 6 pp.

Taxation and Finance

Ability of Boroughs to Finance Capital Improvements. (Conclusion: Under existing debt limitations many municipalities can finance large-scale capital improvements, if at all, only by means of an authority, since the local cost of a sewage disposal system has nearly doubled in the last ten years—or nearly tripled if federal aid available in 1938 is considered.) Philadelphia, University of Pennsylvania, Institute of Local and State Government, *Borough Bulletin*, May 1949. 2 pp.

Comparison of State Income Tax Rates and Exemptions. Madison, Wisconsin Taxpayers Alliance, *Wisconsin Taxpayer*, April 1949. 7 pp.

An Economy Program. Buffalo, Municipal Research Bureau, *Just a Moment*, May 5, 1949. 4 pp.

Give and Take in State Taxes.

("Table showing the contributions made to state funds by each county of the state and the benefits received by each county in the form of services or financial aid from state funds."). Rochester, Bureau of Municipal Research, May 1949. 1 p.

Unemployment

Disability Unemployment Compensation. Springfield, Illinois Legislative Council, November 1948. 37 pp.

Unemployment and Relief Rolls. Newark, Bureau of Municipal Research, July 1949. 2 pp.

Utilities

Policy and Practice Concerning Charges for Electric Services to Municipal Departments and Contributions to the City's General Fund by Publicly Owned Electric Utilities in Cities Over 40,000 Population. Policy and Practice Concerning Charges for Water Services to Municipal Departments and Contributions to the City's General Fund by Publicly Owned Water Works in Cities Over 250,000 Population. Los Angeles, City Bureau of Budget and Efficiency, March and April 1948. 11 and 12 pp. respectively, tables.

Rochester Transit Corporation—Tax Collector. Rochester, Bureau of Municipal Research, *Bulletin*, May 1949. 1 p.

Water Charge Complications. Philadelphia, Bureau of Municipal Research, *Citizens' Business*, June 28, 1949. 3 pp.

Veterans' Bonus

Discussion of Some of the Major Tax Proposals Included in Substitute Bonus Measure. Jefferson City, Missouri Public Expenditure Survey, May 1949. 6 pp.

Waterfront Development

Riverfront: The Protection of Municipal Waterfronts in Tennessee. By Edith Foster Howard. Knoxville, University of Tennessee, Bureau of Public Administration, March 1949. 59 pp.

CITY, STATE AND NATION

(Continued from page 405)

In promotional examinations veteran preference is also restricted.

The new policy, effective September 1, is supported by Governor Adlai Stevenson and has the endorsement of veterans' organizations.

Hoover Reorganization Plans Produce Great Economies

With the passage of the Tydings bill on August 3 and other legislation enacted to date, the Hoover Commission is "definitely 'in the black,'" according to *Reorganization News*, official publication of the Citizens Committee for the Hoover Report.

Pointing out that the entire report cost less than \$2,000,000, the *News* declared that the recommendations now in effect will permit annual savings of at least \$1,250,000,000. This figure, the committee explains, is based on \$1,000,000,000 for the Armed Services and at least \$250,000,000 to be saved through the General Service bill passed on June 30. This measure is designed to combine and simplify purchasing, records management, building management and disposition of waste surpluses.

"On the other side of the ledger," the committee's publication comments, "at least \$2,000,000,000 more remain to be saved. Beneficial improvements in governmental operation by the score still must be made. Some 40 per cent of the Hoover Commission report could be accomplished within bureau and agencies by executive action."

Civil Service Assembly to Meet in San Francisco

The 1949 conference on public personnel and administration of the Civil Service Assembly of the United States and Canada will meet in San Francisco October 24-27, at the Palace Hotel.

Books in Review

Home Rule for America's Cities. By Rodney L. Mott. Chicago, American Municipal Association, 1949. 68 pp. \$1.50.

This is a timely and useful pamphlet for furthering the crusade for municipal home rule. It is scholarly, yet non-technical, and constitutes an important addition to the procession of standard works on this subject, viz Goodnow 1906, McBain 1916, McGoldrick 1933. As the last date shows, this is overdue. The torch has been carried in the interval mainly by the National Municipal League as part of its *Model State Constitution* and *Model City Charter*.

Approximately 28 states give some degree of home rule to cities and 646 cities out of two thousand plus have home made charters. In many states the situation is still very bad, the cities being treated like conquered provinces by irresponsible remote control. In some southern states the local county delegation by amiable exchange with other county delegations gets its way unhindered within its bailiwick and the municipality becomes a shuttlecock when one partisan faction controls the city and another the delegation. A vast array of bills, each affecting only one city and dealing with minute details, encumbers many legislative calendars and bedevils local authorities.

Dr. Mott recognizes that his tentative proposal for constitutional local federalism, which would reverse the present rule and place residual powers in the cities rather than the states, is open to debate. But the reckless way in which legislatures and courts have whittled away or denied home rule clearly intended by state constitutions invites a drastic remedy.

Recognizing the need to reduce the complexity of local government, the author suggests that a liberal home rule policy be "coupled with simplified and fair procedures for consolidation of units and functions of government and with encouragement of intergovernmental agreements." To which, "Amen." But the \$64 question is how to get the local citizens and politicians voluntarily to use "fair" procedures to abolish some of their precious little boroughs and offices. Some municipalities lack the human and material resources necessary for real home rule, and unless the state sometimes exercises its authority to unmake and remake them to fit modern facts they probably never will be fit for it.

That is the dilemma. Dr. Mott's book and the zeal of the American Municipal Association should put new life into a many sided attempt to solve this problem in time to preserve self-government in the home town, where it must have its roots if it is to survive at all.

In the long run, success will depend on citizen understanding and action as Dr. Mott points out in the following paragraph:

"A final condition which is necessary if home rule is to be truly effective is a genuine public support of its principles. Without citizen interest in local government, it is nearly impossible to develop either the local leadership or the legislative interest necessary to install genuine local self-government. The states in which there are active citizen organizations are usually the states in which local self-government flourishes. These organizations are both a cause and a result. They exist because there is a warm civic interest, and their very existence tends to stimulate further citizen participation in government."

Toward Efficient Democracy. By Arthur C. Millspaugh. Washington, D. C., Brookings Institution, 1949. 307 pp. \$3.50.

With a diligence and skill worthy of a better cause, Dr. Millspaugh has dragnetted American history to bring up an amazing well documented list of past complaints and proposals of reform relating to the structure of our national government.

Then, unlike most scholars, he sticks his neck out and propounds a new proposal of his own wherein he would abolish the House of Representatives and substitute a council of 15 to 25 members elected at large by the list system of proportional representation. The lists of candidates would be provided by the Republican and Democratic national conventions (no independents allowed) so that each party would see its candidates seated in the order established by the convention, as far down its list as the party's proportion of the votes justified. The council would pick the president who would hold office at its pleasure.

As the Senate is fortified by the constitutional provision that no state may without its consent be deprived of its equal representation therein, he yields to expediency at this point and retains it in his plan with powers like those of the House of Lords to impose delay and second consideration. We skip further details.

Dr. Millspaugh fondly pictures a swift effective management in the hands of eminent party leaders expressing consistent and well studied party policies.

Here in the National Municipal League we, as long-time promoters of the council-manager plan of municipal government, might be expected to applaud this translation of our municipal concept to the national field.

However, mere size and general un-

wieldiness of the national unit alter the principle. We can and do get along without parties in nonpartisan municipal elections but on the national scale the two national parties are unofficial yet essential mechanical supplements to the constitutional mechanism, to screen candidates for national office down to two (or three). They enjoy an effective binopoly of hopeful nominations. They are not parties in the European sense. New ideas which arise do not in our country lead promptly to formation of effective new parties but seep through both parties and, to the impatience of doctrinaires, give us the spectacle of so-called parties that include and retain all shades of belief with wider differences of opinion within them than there are between them.

But this flexible free play, as manifested in the House of Representatives, is valuable even if not neat. To funnel the vast diversity of pressures through a bottleneck of a group of 25 politicians or less would produce calamitous heat and strain.

Again, consider the conventions! They are clumsy enough when handling their prime task of selecting one major candidate. In this task they are rather effectively governed by the need of catering successfully to intensely concentrated public awareness and concern. Divide up the task into 20 parts and the state delegations under their local party leaders will be able to barter and trade amid confusion and obscurity. The slate will include some leaders but will, I fear, be made up mostly of favorite sons who have catered diligently to their respective state machines and whose very names will elude the scrutiny and even the memory of most voters. The chess game in the smoke-filled rooms would be more complex and obscure—more absolutely controlling—than now! The

public cannot squeeze into any such game! Show it to a politician, Mr. Millsbaugh, and watch his mouth water!

H. G. Moulton, president of Brookings, in the preface explains that the author's conclusions are not be regarded as a pronouncement of the institution.

R.S.C.

Additional Books and Pamphlets

Authorities

A Missouri Valley Authority: Remarks of Senator James E. Murray, Senator Guy M. Gillette and Senator Hubert H. Humphrey. Washington, United States Government Printing Office, 1949. 30 pp.

Report for the Six Months Ended June 30, 1949. New York, Triborough Bridge and Tunnel Authority, 1949. 15 pp.

Budgets

Simplifying Procedures Through Forms Control. Washington, Executive Office of the President, Bureau of the Budget, 1948. 49 pp. 45 cents

Building Codes

Administrative Requirements for Building Codes. New York, American Standards Association, 1949. 15 pp. 50 cents.

Report of the Joint Legislative Committee on Statewide Building Codes. Albany, State of New York, 1948. 44 pp.

Standard for Grandstands, Tents and Other Places of Outdoor Assembly. Boston, National Fire Protection Association, 1949. 15 pp.

Communities

Scoring Community Desirability. Chicago, Housing Authority of the County of Cook, Illinois, 1949. 17 pp.

Elections

Use of Schools and Other Public

Buildings in Cities as Polling Places. Albany, New York State Conference of Mayors, 1949. 5 pp.

Federal Government

United States Government Organization Manual — 1949. Washington, Division of the Federal Register, National Archives Establishment, 1949. 725 pp. \$1.

Government Textbooks

American City Government: Its Machinery and Processes. By Ernst B. Schultz. New York, Stackpole & Heck, 1949. 554 pp. \$5.

Government of Cities in the United States (revised edition). By Harold Zink. New York, Macmillan Company, 1948. 637 pp. \$5.

Outside Readings in American Government. Edited by H. Malcolm MacDonald, Wilfred D. Webb, Edward G. Lewis and William L. Strauss. New York, Thomas Y. Crowell Company, 1949. 854 pp. \$2.75.

Land Subdivision

Land Subdivision in California, Laws and Regulations. By Charles D. Clark. Washington, Urban Land Institute, *Urban Land*, June 1949. 6 pp.

Legislation

Nationally Recognized Standards in State Laws and Local Ordinances. New York, American Standards Association, 1949. 43 pp. \$1.

Suggested State Legislation: Program for 1949. Chicago, Council of State Governments, 1948. 70 pp.

Licensing

Business License Tax Ordinance. Beaufort, South Carolina, City Council, 1949. 46 pp.

Local Government

Local Government Areas, 1834-1945. By V. D. Lipman. Oxford, England, Basil Blackwell, 1949. 506 pp. 25/-.

Metropolitan Areas

Report of Study Committee of the Lower Peninsula Planning Commission

of Virginia on Consolidation of Local Governments.¹ Newport News, the Commission, 1949. 63 pp. map.

Planning

Local Planning and Development, with Special Reference to the Smaller Wisconsin Communities. Madison, Wisconsin State Planning Board 1949. 55 pp.

Planning Cleveland, 1948. Annual report of Cleveland City Planning Commission. Cleveland, the Commission, 1949. 13 pp.

Police

The Boston Police Survey: Report of the Finance Commission of the City of Boston. Boston, the Commission, 1949. 50 pp.

Political Parties

The American Party System (fourth edition). By Charles E. Merriam and Harold F. Gosnell, New York, Macmillan Company, 1949. 530 pp. \$4.65.

Population

Estimates of the Population of the United States, by Regions, Divisions, and States: July 1, 1948. Washington, Department of Commerce, Bureau of the Census, 1949. 6 pp.

Proportional Representation

The Sure Foundation for Strong Stable Government: P. R. (Annual Report for 1948-49 of the Proportional Representation Society). London, the Society, 1949. 51 pp. 6d.

Trailers

Taxation and Licensing of House Trailers. Chicago, Federation of Tax Administrators, 1949. 3 pp.

Water Pollution

Report of the Special Committee on Pollution Abatement of the Joint Legislative Committee on Interstate Cooperation, 1948. Albany, New York, the Committee, 1948. 106 pp.

¹See also page 393 this issue.

COUNTY AND TOWNSHIP

(Continued from page 408)

California Urban District Bill Dies

A bill in the California legislature which would have permitted counties of 2,000,000 population or over (Los Angeles only) to create urban districts in unincorporated areas passed the Assembly but died in the Senate. These districts would have been created by the county board of supervisors. The residents would have had the option of electing their boards of selectmen if they so desired. The districts were to have limited jurisdiction over zoning, sanitation, roads and streets, parks and recreation, flood control, building and alterations, permits, licenses, vital statistics, health, police and fire protection, education and libraries, and similar functions.

South Dakota Acts to Remove Constitutional Term Limits

The South Dakota legislature has adopted a constitutional amendment to permit county officers to serve more than two consecutive terms. The proposal will be submitted to popular referendum.

Zoning Plan Submitted in Hamilton County, Ohio

A zoning plan for the unincorporated areas of Hamilton County (Cincinnati, Ohio), has been submitted by the rural zoning commission to the board of county commissioners. Final hearing by the county board were held in June, and the plan will be submitted to the voters on the November 1949 ballot.

The county's rural zoning commission was created following state enabling legislation effective September 1947.